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**PROBLEMS OF  
MODERN AMERICAN CRIME**



# PROBLEMS OF MODERN AMERICAN CRIME

BY  
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## INTRODUCTION





## INTRODUCTION

A GREAT American writer, James Russell Lowell, said many years ago that if Democracy did not produce the best type of men it was a failure. Perhaps he ought to have put it the other way round—that if the best type of men did not produce Democracy it would be a failure.

Even with what Emerson called the “blazing ubiquities” of the Declaration of Independence in their minds, Lowell and others seemed to have a glimmering of the disappointing fact that democratic methods are much more picturesque and effectual in destroying than in constructing, and to admit tacitly how much easier it is to arouse mobs to the point of—for instance—tearing down the Bastille, than to inflame them with equal ardour over the prospect of building up constitutional law and order.

Amidst triumphant yells and curses, the stones of that terrible prison fell, the gates were stormed, and the prisoners—innocent and guilty—were dragged forth to enjoy Liberty, Equality and Fraternity under the vague but glorious *Désormais*, and all the rest of the mixed truth and falsehood, cunning, diabolical cant and honest enthusiasm that assailed not only the temporal and material Bastille, but also what it stood for—the symbol of the eternal, unseen, and perhaps insoluble problem of governing mankind. In a painfully short time the lost Prison had to be replaced by

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the Guillotine—dripping with free, equal and fraternal blood, a grim mockery of *Désormais* !

In July, 1789, when the Bastille crashed, George Washington was successfully conducting a similar assault on what he considered to be a hampering tyranny, and had been President of the United States (not many then) for a few months. Over the new Republic, Betsy Ross's amended Stars and Stripes were flying, no longer as a traitor's rag, but with the full dignity of a national emblem, and the greatest experiment the world has ever seen in Democracy had begun in a small way, though firmly, with the best type of men initiating and supporting it.

They honestly in their hearts expected everything from this revolution, and believed it would surely end all the evils which had flourished under the old system. They had a touching faith in the annulment of tradition, ceremony and force, and felt that by superseding these shackles they were giving a wonderful chance to the oppressed multitudes to cast away their bonds and develop their finest qualities, and display the innate nobility of their souls. This view of average humanity, genuinely adopted, was distinctly less accurate and more favourable than George Meredith's brief but comprehensive description of "that wandering ship, of the drunken pilot, the mutinous crew, and the angry captain, called human nature."

Bearing in mind the magnificent ideals, faiths and hopes of the Revolutionaries—all, like Brutus, honourable men—it is pathetic and ominous, also thought-arresting, that more than a hundred and forty years afterwards the citizens to-day of that Great Republic should see how it has fulfilled every prophecy of material prosperity, expansion

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and power, and yet, in view of a strange failure on the other, the spiritual side, have to ask themselves, "Why is there so much crime in democratic America?"

• With all its splendid advantages, how is it that the Land of the Free and the Home of the Brave, under its Star-Spangled Banner, has a truly extraordinary record of criminality? What is the inference to be drawn from this undisputed fact? Is it that Democracy has failed, at least partially? It is impossible to be sure of anything so far as theories go; but one fact certainly emerges—namely, that these problems of crime press for speedy solution in the United States of to-day. Seeing that unhampered and long-continued Democracy has not prevented this deplorable state of things, is there not some doubt as to whether Democracy alone can cure them?

The following studies of crime are an onlooker's gleanings of the unexpected results produced by the aforesaid "blazing ubiquities" being carried into practice for several generations. From so great a conflux of law-breaking it is difficult to select examples; but the idea of this book is to show modern instances of various crimes and criminals, and to describe these in the accurately quoted words of American reporters, observers, critics, and judges, in and out of court.

The only alteration made is in the spelling, as it seemed confusing to mix English and Transatlantic orthography, and to present "labor" and "traveling" in the quoted matter, while jumping to "labour" and "travelling" in the comment.

The cases selected for examination are quite recent, and also, in their sidelights on it, rather illustrative of modern American life in general.

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They are all given with considerable detail in order to try and capture the atmosphere in which the crimes prospered, and to depict the social and judicial background as well.

It may be added that the original records, even when too long and diffuse for full quotation, have been carefully followed, and that the transcriber has not altered the American sense at all—to do so would have destroyed the authenticity of the studies, and might also have been an impertinence. The reader may therefore be assured that these American problems have been stated in their own terms from a mass of printed matter held in proof of all that is set down.

As will be seen from my final chapter, in which I have essayed to collate the American view of the crime problem, I have by no means lost myself in the contemplation of one side of America only. My long residence and travel all over the Great Republic have taught me many things besides, and I can pay a sincerely felt homage to the qualities of heart and head to be found everywhere around one. But this study is of the problem of Crime, and must be my excuse for all that has been set down—assuredly none of it in malice, but rather as a humble attempt to state a case that distresses no one more than the great majority of the citizens of the United States.

## THE BEVERLY GLEN MURDER



## THE BEVERLY GLEN MURDER

THIS crime was also known as the Kennedy case, and occupied public attention in Los Angeles for many months. To an English mind it was doubly interesting, owing to the undoubted American aspects of the crime itself, the actors involved, and the conduct of the several trials of the alleged murderer and his accomplice.

To begin with, we might glance at the beautiful and romantically secluded spot where the murder took place. Beverly Glen is a lovely miniature canyon in the famous foot-hills between Hollywood and Santa Monica. It is a very lonely situation, quite away from the main road, with a small colony of week-end bungalows or shacks. One of these, perched on the hillside, with a flight of wooden steps leading up a bank to it, belonged to a young man named Belton Kennedy. He seemed to be a typical American youth, about five-and-twenty, the only son of middle-aged parents in a good position and evidently well off.

In some way Kennedy had got entangled with a handsome woman rather older than himself, one Mrs. Ralph Obenchain. She bore the picturesque and suggestive name of Magdalen, spelt Madalynne. It is not unusual in the United States to give new spellings to old names, and considerable ingenuity is shown in inventing these. Mabel, for example, is rendered as Mabelle, Maebelle, Maybell, and so on—just to be a little different



from the next girl. Madalynne was a happy thought, and distinguished Mrs. Obenchain.

She had been running round with Kennedy in the free American style, and had even gone the length—also in the American style—of divorcing her husband Ralph, a Chicago lawyer, giving it out that Belton Kennedy was crazy about her, and they were to be married.

Then it seems there must have been a hitch, which upset her calculations. Kennedy was evidently willing, and even pleased, to gallivant with her, and drive her about in his car, so long as it was understood he had no serious intentions. When he made this clear, it was decidedly awkward for a lady who had burnt her boats by divorcing her husband and posing as the object of Kennedy's infatuation and his promised wife.

It was evident to her that she was presently going to look particularly foolish if his rejection of her became known, so she tried to hold on and began the usual futile game of worrying him and calling him on the telephone, until his mother told her to let him alone. Madalynne was not a violent person, and seems to have taken this rebuff calmly, and then by some means to have persuaded Belton to take her out for a farewell jaunt down to Venice and Santa Monica.

On the way back—according to her story—they ran the mile or two off the main road to have a look at Kennedy's bungalow in Beverly Glen, for the ostensible reason of trying to find a lucky penny supposed to be hidden at the front door. They arrived at the Glen rather before dusk, and Kennedy got out and ran up the wooden steps to hunt for the aforesaid lucky penny, leaving Madalynne in the car. As he stooped to search for the coin, a shot was fired and he fell

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dead. People from a neighbouring bungalow heard the alarm, and someone drove Madalynne to the nearest police-station, where she told a vague story with the above outline, adding that "Kennedy called out "Good-night, Madalynne," after she heard the shot. The medical evidence later on entirely contradicted this statement of hers, on the ground that Kennedy was killed instantaneously, and therefore could not have spoken one word after being shot.

The police took charge of the body, broke the terrible news to the young man's parents, and next day the usual excitement over a thoroughly good murder was roused, in the newspapers first of all. They gladly rushed at such an interesting story, which soon began to develop in sensation when a friend of Madalynne's was arrested and charged with the deed. His name was Arthur Burch, and he was the son of a minister of the Gospel—and apparently an example of the vagaries of heredity. A brilliant climax to the tension came in a day or two when the fair lady herself was taken as his accomplice—or, rather, as the principal in the tragedy, having incited him to commit the crime.

Here we may note the difference between the American law and the British in an important point, the former permitting any comments and reports, practically without restriction, before and during a trial, while in England nothing is allowed to be published except the account of the actual proceedings in court until after the verdict. In addition to this, the American reporter tackles his task in a totally different spirit from that of his British confrere. He writes fluently about psychology, heredity, environment, psycho-analysis, and all the rest of it, and tries

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as hard and as fast as he can to make the case interesting at any cost, and keep his paper ahead in the race for sensation.

He digs up every kind of reminiscence of the victim, the accused, also the witnesses for both prosecution and defence ; and before any evidence has had a chance to be produced on oath in court, he anticipates as much of it as he can and serves it up with garnishes of comment to make a feast for his readers. Without perhaps going the length of actually pronouncing on the guilt or innocence of the accused, the pressmen seem to say everything that could possibly be thought of in connection with the case.

But, curiously enough, all this liberty does not result in a clear and coherent account of the proceedings. On the contrary, it is often extremely difficult to follow all the ramifications of the journalists' discoveries, as they shift their ground from day to day, and at no time seem so much concerned to be accurate as to write with effect, or, as they would say, put in "snap" and "punch." The main idea being to attract readers and sell the papers, these scribes go along the line of the least dulness and greatest interest, and by the time one arrives at the report of the trial itself, what with threads picked up here and dropped there, and opinions, rumours, theories and facts all jumbled up, one is pretty completely bewildered.

In the end the more sober exactness of the British stenographer, who reports the proceedings consecutively and in faithful detail, gives better results than the lurid psychological brilliancy of the American. That is to say, anyone who wants to know what a trial is about, and reads the report day by day in the English papers, will get a clear

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idea of what actually went on—the accusation, the case for the prosecution and for the defence, and the evidence given by the various witnesses. The limitations of the British reporter drive him to make the best of the facts, seeing he is not allowed to travel outside them ; and a person of ordinary intelligence can therefore gain a definite impression of the whole affair.

In America one reads every kind of eloquence, abuse, appreciation, and picturesque writing, until one is hopelessly muddled up, and tries feebly to deduce a few leading facts from the smother of words.

If anything, the Beverly Glen murder was more written up, and therefore more puzzling, than even an ordinary crime. It had all the elements of popular success, and there were so many sidelights for the journalists to revel in. Belton Kennedy was a good “hero,” Madalynne made a really attractive “heroine,” and Burch seemed quite adequate as the “villain,” so that the melodrama was complete.

While the Press went ahead with columns on columns of interesting “copy,” there was a struggle between some lawyers who wanted to have Burch and Mrs. Obenchain tried together and those who demanded separate trials, Burch’s, of course, coming first. As these latter lawyers argued, if Burch were convicted, it would be soon enough to try Madalynne ; whereas in the event of his being acquitted, she would be spared a severe ordeal. After much argument—what Sam Weller would have called “he-ing and I-ing”—the squabble ended in Burch being arraigned by himself.

His trial began in—to English views—considerable confusion, so far as the reports went. Selecting

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the jury is always far more complicated in America than in Britain, where challenging a juror is not very often done, except for serious reasons, whereas this game is played gaily in the United States to gain time and also to make the lawyers feel important and to confuse the issues from the very start.

Thanks to the wrangling and interrupting that was permitted, the defence seemed to open the case, and their idea was to prove that, in the first place, Burch did not commit the murder; secondly, that he was insane; and, thirdly, that the whole world knew someone else had killed Belton Kennedy. The prosecution had apparently, to hustle a good deal and push to be allowed to bring forward their charge against Burch. Even then, as soon as they opened their mouths, the defence, so to speak, jumped down their throats.

However, by persevering, the prosecution got their innings, and outlined (with many and fierce interruptions) the story of the crime. They called their witnesses, and to any unprejudiced person seemed to prove the following facts: First, that Burch had been suspiciously watching and shadowing Kennedy for days, and had hired a room in a hotel which commanded a view of Kennedy's office, and had sat in the window for hours daily for the purpose of observing him. Second, that Burch had in his possession a gun with shot which corresponded to the bullet found in the dead man. Third, that Mrs. Obenchain had visited Burch in his hotel while he was watching Kennedy. Fourth, that a man resembling Burch, in a car like the one he was known to use, had been seen at Beverly Glen on the evening and about the time of the murder. The witnesses who testified to these circumstances seemed perfectly reliable and

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disinterested, and the refuting evidence was very weak ; in fact, it had the air of being trumped up to silence the prosecution at any cost. This sort of thing seems fairly common in American trials, so far as one can gather, and the defending attorneys take up an attitude of saying, in effect : “ Just let us know what you dare to aver about our noble, worthy and innocent client, and we will knock your teeth down your throat for a d——d liar.”

One important fact about this crime was established by a visit to the scene of it in Beverly Glen—namely, that the murder must have been premeditated. If it had taken place in a crowded street, or even on a highroad, there might have been some doubt as to who shot Kennedy, and even a possibility of an accidental shooting, or his being murdered in mistake for someone else. But in an isolated situation like Beverly Glen, and in front of a retired little shack, not even out in the open, there was no one to shoot him at his front entrance in a little garden raised above and set back from the road—except by pre-arrangement and with knowledge of his movements, so as to wait in ambush for the express purpose of murdering him. The time was very short in which the deed could be done, as Kennedy was not going to stop for more than a minute or two, just to look for his most unlucky penny. Therefore the assassin must have been warned that Kennedy was coming about that time, and the only person who knew he would be there was Mrs. Obenchain, who had admittedly asked him to drive to Beverly Glen to find the penny. It was also admitted that she had been in close communication with Burch for days previously, and it was practically certain that Burch was

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seen in his car near Kennedy's bungalow that evening. This, taken in connection with the fact that a local gunsmith had sold Burch the gun, might have satisfied any ordinary jury as being conclusive evidence against the prisoner; but so much confusion was created by the defence, who almost seemed to prosecute the prosecution, that the jury (mixed men and women) disagreed and had to be discharged. Burch was put back for a new trial, and then came the question of Madalynne. Her supporters thought she could not logically be tried until Burch was convicted, but this was overruled, and it is permissible to think that everyone wanted the limelight turned on her, knowing the consequences would not be serious.

Her sex, her comparative youth, her undoubted good looks, and the flavour of intrigue and mystery about the story, worked up public interest tremendously, and her trial was immensely popular. The waiting journalists all drew a long breath, so to speak, and rushed in, neck and neck, to do the "scoop" justice. Generally speaking, the unfortunate prosecution had a distinctly worse time with her than with Burch, but the defence and the Press and the palpitating, applauding public enjoyed themselves mightily.

The beautiful heroine conveniently lost her memory from the moment she heard the shot fired until she "woke up" somewhere—in prison probably. The prosecution had to handle her gently, with one eye on the jury, whose sympathies were uncertain and might be roused to protect a weak and guiltless woman from the cruel onslaughts of a ferocious prosecution. It was commonly said she was "so well-bred and so ladylike" that it would be absurd to think she could instigate a murder.

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Then Ralph Obenchain, her chivalrous though divorced husband, was understood to be entirely convinced of her innocence, and he came from Chicago to give her his legal and moral support. He was even willing to re-marry her on her release—if she liked. But even his chivalry wilted a little after he sat in court and listened to the reading out of her impassioned love letters to Belton Kennedy. The reporters watched his feelings change, and said he lent forward with his elbow on the table, and covered his face with one hand.

Again the defence triumphed and ran the whole show, but they could not carry all the twelve jurors with them. The awkward circumstance of Madalynne's visits to Burch while he was watching Kennedy, and that she was certainly with Kennedy at the time of his death, and was the only person who knew he meant to visit Beverly Glen at that hour, occurred to some of the jury as incriminating. The rumour was that a majority—some said nine—were in favour of conviction.

After a pause Burch was tried again, but this time his defence was not that of insanity—which tacitly admitted his guilt—and took the form of a really amazing alibi, which made the unlucky prosecution gasp.

"In the previous trial of Burch," said the report, "no alibi was presented. As Mr. Schink could elicit nothing of the activities of Burch from that young man, and because of other observations he had made, the defence set up a plea of insanity, stating they were unable to get an intelligent accounting of the affairs of the night. So they produced alienists to testify that Burch was mentally unsound."

Considering that Burch was on trial for his



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life, it is distinctly surprising he never mentioned the fact that he was some thirty-five miles off at Long Beach on the evening of Kennedy's death. The whole thing was, of course, preposterous, and the witnesses for this belated alibi were negligible. As for their identification of Burch, he had been photographed and his portraits published, and every peculiarity of his aspect and manner had been described in all the papers until it was easy enough to recognize him. The women who swore to the alibi might have been honest, but it is practically certain that, if so, they were mistaken.

However, there was ground for suspicion that their sympathies had been worked on by the defence, and one woman at least seemed to be decidedly hysterical. Three days before she appeared to give her apocryphal evidence in court, it was said she could not live, and yet she dragged herself from a sick-bed, a death-bed, to attend the court and save an innocent man.

Her story was distinctly naive. She said she saw Burch on August 5th, 1921, in a "soft drink parlour" at Long Beach, about 8.30. She dropped a dime on the floor, when he stepped forward, picked it up, and politely handed it to her. They chatted for a moment and then parted, but not before she noticed that Burch's left hand was slightly drawn as if from rheumatism.

During his first trial she saw a crowd in front of the Laughlin Building, and a bystander told her it was the Burch jury visiting the office of Kennedy. She testified that when she saw the jury and Burch come out of the building, she recognized the young man, and later in the day connected him with the Long Beach incident.

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She then went to the County Jail, and by Burch's appearance and his hand positively identified him.

Questioned as to how she fixed the date, she said it was by some private notes which she was unwilling to expose in court.

There seemed to be no corroboration of her testimony, and no one else had seen Burch in the "soft drink parlour." Of course, if the alibi had been what Americans call "ironclad," the jury would have had no difficulty in acquitting Burch; but as the young man himself did not seem to know—until this woman told him—that he had been in this shop and picked up her dime so politely, afterwards enjoying a pleasant chat, the jury hesitated. It seemed to them, or to some of them, that if he had been at Long Beach on the fateful evening, he would have mentioned it when arrested.

It is possible this woman persuaded herself into the belief that the incident really happened, but her deportment in the witness's chair was not convincing. She played to the gallery and exhibited dying airs almost with relish, and appealed to the Court to protect her from "the harassing attacks" of the prosecution, meaning a somewhat stiff but not overdone cross-examination.

The defending attorney played up to her all the time, in the best style, and said he was gratified she had stood the strain as long as she did, adding that he had never in his life "seen a sick woman subjected to such brutal uncalled-for and untimely questioning as was this woman."

"She told me," he said, "if it killed her she was going to be here in court to testify. We're through now."

It did not kill the heroic lady, neither did her

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testimony save Burch. The jury did not accept her story, and disagreed again, to be once more discharged.

During this trial Mrs. Obenchain made a brief appearance when she was called by the prosecution as a witness. "Clothed in black, her hair gathered in loops about her forehead and low at the sides, Madalynne Obenchain appeared suddenly in the trial of Arthur Burch yesterday. As a surprise witness, Madalynne's appearance formed the climax of a day filled with dramatic incidents," said the reporter. "Included in the day's high spots was that moment when Mrs. J. D. Kennedy, mother of the murdered man, J. Belton Kennedy, almost met Mrs. Dora Burch, mother of the youth on trial; the time that Mrs. Kennedy said, 'I hate to say his name!' when referring to Arthur Burch; the long pause that followed Madalynne's question, 'Then the indictment against me has been dismissed?' and it wasn't; and the testimony of Mrs. Bailiff, whom the Court had to reprimand because she 'snapped and barked at the defence attorneys.'"

Mrs. Bailiff was the first witness of the day. She did not appear during the Obenchain trial, but now the prosecution called her to tell of some conversations she had had with Madalynne in their friendly days. She said Mrs. Obenchain had told her of the night Belton Kennedy went to her room at the Alexandria Hotel and threatened to kill her if she would not marry him, and gave all the details of the struggle for the young man's gun which were given by Madalynne and repeated by this witness. What Belton said. What Madalynne said. What the telephone incident referred to was when Mr. Kennedy senior called Madalynne at one o'clock in the morning to ask if his son was

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with her, and of "Mr. Kennedy refusing to answer when Madalynne lifted the receiver."

Another witness was called to testify that someone followed him and the slain man one Sunday evening, but he could not identify the man. Then Mrs. Kennedy was called, and told of her conversation with Madalynne when she advised that young woman to go back to Ralph Obenchain, her husband, and "let Belton alone." Mrs. Kennedy further said she was followed by a man and a woman on the day of the murder.

At length, when the prosecution called Mrs. Obenchain, the defence objected, and the judge upheld the objection; so she quickly vacated the witness's chair and left the court, not to appear again until her own second trial.

This came off soon after Burch's jury were discharged, and afforded some new sensations for the Press to chronicle, but not much new evidence for or against the accused. People were getting a little tired of what might be called the routine of the case, so the watchful journalists made the most of anything to sustain the interest, such as the fact that there had been trouble in the women's jail. Since this was rather typically American, it might be worth while to reproduce the account of it, headed in large capitals: "And Madalynne Caused It All." The sub-headings were: "Pro- and Anti-Obenchainers Quarrel in Jail." "Visitors to Women's Section Barred as Result." "Row Over Now, but Great Stuff While It Lasted."

Having attracted public attention in this way, the reporter began brightly:

"Girls will be girls. Now faction has reared its ugly head in the women's ward of the county jail, and terrible is the punishment therefor.

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Mrs. Madalynne Obenchain, most prominent socially in the ward and also most prominent in the seriousness of the charge against her, is the cause—innocent, it appears. The women of the jail have become pro-Madalynists and anti-Obenchainers.

“Mrs. Obenchain has had a maid, candy and bottled water, and has not been compelled even to tidy her own cell. All the other girls, dear me, must do their own housework. Unkind things have been said of the fair Chicagoan. These have led to unkind remarks about other things, and the results have been terrible—to the ear. In all this the Kennedy murder trial defendant has affected a very proper this-is-all-beneath-me exterior.

“It all started Sunday over a chance remark about Mrs. Obenchain—whether she uses eyebrow blacking, or something in that vein. And since then all the girls have been scolding, abusing, correcting, insulting, teasing, backbiting, annoying, libelling, telling on, pouting at, shrugging at, and generally tormenting one another. The audible results have been screams, squeaks, hisses, catcalls, howls, ouches, and chatter without end.”

This is a light-hearted sketch of a curious state of things to be allowed in any prison, but it did not seem to surprise the readers. Rather, it amused them mildly, and helped to keep alive their interest which had been somewhat jaded by the frequent trials. Still, there were some novel incidents, acceptable if not exactly thrilling. One was the mention of another woman with whom Belton Kennedy was supposed to be in love. This girl was with Mr. Kennedy when he opened his dead son's safe deposit vault, and she removed letters she had written to Belton, but

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left the impassioned epistles of Madalynne, which were afterwards read in court.

The defending attorneys were allowed unusual licence in this trial, especially towards Mr. Kennedy, the unhappy father of Belton, and there was an ugly incident while he was being roughly cross-examined. The lawyer asked him if he was bitter against the defendant, Mrs. Obenchain.

"I must admit that I am," was Mr. Kennedy's natural retort, which roused the lawyer to accuse him of going to a dressmaker and renting a mourning costume for Mrs. Kennedy to wear at the trial.

After some discussion, Mr. Kennedy admitted that he had obtained some articles of dress for his wife, as she had no suitable clothes for the court.

"And didn't you advise her to put a heavy white coating on her face, so that she would look ghastly pale?" the lawyer then demanded, as if this was a most heinous offence against justice.

Mr. Kennedy declared it was an absolute falsehood, and also denied that, when he was in Beverly Glen on the morning after the murder, he went over to Mrs. Obenchain and said to her, with an oath, "He would get her yet." In the circumstances, these and other questions like them, addressed to a man whose only son had been foully done to death, were callous and indecent to the verge of infamy; yet the Court—so ready to shield the defendant—never intervened to protect Mr. Kennedy, and never showed any consideration for Mrs. Kennedy in her grief. The question about her mourning dress was disgraceful. She was in black because her only son was dead and had perished violently; and the defence tried to make capital out of a bereaved

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mother's natural instinct, and to represent this as a piece of theatrical malice against the poor white-souled, dove-like Madalynne. It was an abysmal depth of brutality and indecorum even for an American defending attorney to descend to, but he was not rebuked. The judge reserved all his snubs for the prosecution and their witnesses, and seemed to do this with the approval of the public.

One scene showed this animus, when a witness for the defence was testifying concerning some ~~things~~ that were being used as evidence in connection with the ambushing hedge at the bungalow in Beverly Glen which had sheltered Kennedy's assassin.

"What do they call the vines these come from?" the defence asked.

"It is not what they call them—it is what they are," interrupted the prosecution. "They are wild roses."

Wild roses with a murderer sheltering under their beauty! It seemed incongruous.

"A rose by any other name would be as sweet," said the defence archly.

"I object to counsel making light of this affair," said the prosecution, justified, surely, by the fact that from behind these sweet wild roses Kennedy had been shot dead. "I am sure that this is no laughing matter. I don't think that the defendant thinks this is a joke."

"I don't know that the defendant thinks at all," retorted his opponent gaily.

The judge might have either interposed to check these sallies of the defence, or he might have ignored them. Instead, to the surprise of everyone, said the reporter, the judge stated "that the trial was altogether too serious, and he

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did not object to a little levity"—as it were, a little timely humour about the scene of a ghastly murder. Everybody laughed at the judge's quip, so the pressman recorded.

In the first trial, as before mentioned, letters of a passionate and romantic nature from Madalynne to Belton Kennedy had been read, to the confounding of her husband, Ralph Obenchain. Now it appeared that Madalynne was fond of throwing off these epistles, and this propensity figured in an unexpected development during the trial, when a fellow-prisoner on the man's side of the county jail claimed to give evidence against her. He asserted that she tried to work a plot and secure false testimony on her own behalf. His name was Paul Roman, and, according to the story he swore to in the witness's chair, he had known Madalynne before either was arrested, and that after they were both in prison a meeting was arranged by Ralph Obenchain to discuss this plot. Madalynne wanted Roman at her first trial to go before the jury and state that he knew Kennedy and the two men who had killed him. Roman went on to say that Kennedy was supposed to have told him that he (Kennedy) was going to marry Madalynne, and to have shown him a combination wedding and engagement ring. Roman was to relate this, and then go on to tell of meeting two roughly dressed men at the Electric Railway Station, and to add an incident of their showing him a photograph of a woman and Kennedy. He was to describe it as a flashlight of the young broker in a compromising position, and to identify the woman as anyone but Mrs. Obenchain. This tale, deftly handled by the defence, could have been used to suggest that Kennedy had got into a scrape with another



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woman, had broken with her to attach himself to Madalynne, and had in consequence been murdered by the two roughly dressed men, acting for the rejected damsel. It was curious Mrs. Obenchain should imply that another woman would play the same game as she was accused of doing—namely, that of inciting a man or men to murder Kennedy for jilting her. Psycho-analysis might explain that it showed what was in Madalynne's own mind, and what she was capable of planning, if not actually doing.

Roman said he practically agreed to tell the story, and before they parted he and Mrs. Obenchain arranged to write to each other. He was to mention "a story" if he wanted any further information, and the characters were to shadow forth the actors in the real tragedy. Burch was to be known as "A," Kennedy was to be called "The Martyr," and Madalynne was to be "The Heroine."

The letters were then read in court, and contained references to these characters in identical terms, thus seeming to corroborate Roman's story. Mr. Obenchain was implicated, but he had returned to Chicago some months before, and he was not called by the prosecution to confirm Roman's statements, or by the defence to deny them. All that was heard from him was an interview in a Chicago paper, in which he said Roman was a liar and the whole thing was ridiculous—words to that effect. Having regard to all the circumstances, it is not quite certain that the evidence was false, but a convict is always a tainted witness.

However, apart from Roman's story, Madalynne's letters to him came as a blow to her admirers, who had been placing her on a high

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pedestal as a great-souled, pure woman who had loved but once, and whose broken heart was buried in Belton Kennedy's too-early tomb—or something of the sort. "At times almost duplicates of the passionate letters written to Belton, her dead lover, the notes threw a light on the defendant and her trial that came as a tremendous surprise," said the reporter, who seemed a little upset himself. "They began with friendly terms, well wishes for the freedom of Roman, but later they throbbed with a seeming swelling love."

An example of Madalynne's epistolary style was given in a quotation from her third letter smuggled in prison to Roman. "Yesterday afternoon you were in my thoughts constantly," she wrote. "I tried to sleep, but your nearness seemed to caress me, and I was so lonely. Paul, when they sent for me to say good-bye to you, the pain in my heart almost made me cry aloud. I felt your handclasp; I would have given worlds if the bars could have fallen between us. Some day we will go down by the ocean together, and all this pain will have been forgotten, as we watch the great image of eternity and listen to the mournful music of the waves."

The crestfallen listeners to these amorous outpourings began to doubt if after all Madalynne could be quite so sweet and pure and generally "elegant" as they had given her credit for being. But otherwise the convict Roman's evidence had no tangible effect, though it may have prejudiced the jury unconsciously against her, and prevented her acquittal as an injured innocent.

There is no doubt that interest in Madalynne was waning slightly, but the process was accelerated by a cruel bit of bad luck which befell her just then, when another and more appalling

crime was committed—a crime to be described in another chapter, known as the great Hammer Murder. This slump, as the Americans called it, took place overnight, and Madalynne Obenchain awoke one morning in July, 1922, to find herself hopelessly outclassed as a queen of crime.

She still held a modest place in public interest, but only as a foil to the other young woman, or as a peg on which to hang psychological studies of the subtle contrast between the two alleged murderesses. One of these studies is rather interesting, especially in view of the fact that it was written by a woman with a kind of moral detachment which suggested entire freedom from any old-fashioned prejudices against breaking the commandment, "Thou shalt not kill."

"Murder is one of the impulses," she wrote, "like work, love affairs, new clothes, divorces and having babies, that crop out at intervals. As old as sin, ever new in its rush of primeval emotions bared to the public gaze, it is a part of life itself. Cain started it—it will be finished when the millennium destroys our world.

"But never before, at the same time, have we had two accused murderesses with such baffling personalities lodged in one county jail awaiting their fate—Madalynne Obenchain and Clara Phillips. Madalynne, the refined, the woman of fashion, the educated, the result of breeding, of tender care, reared on those niceties of convention which are a lady's heritage. Madalynne, the fashion plate; the shine of the manicurist upon her pink nails, the languid grace of the mannequin of social paths in her walk. Always about her the aureole of the woman who has been well cared for—the stamp of education; the indubitable mark of aesthetic accomplishments;

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the hauteur, the pride and control of the woman whose life has laid along well-grooved paths, oiled for her passing by the paid hands of servants.

"Madalynne's asserted interest in the murder of Belton Kennedy came as a surprise. She is the kind who thrives on intellectual love—even in her boasted love for Kennedy there is a neurasthenic angle, the outcome of a nature that delves into hidden crannies of the soul and strives to catalogue the unknown, to comprehend the incomprehensible. Her kind one finds in the big cities, dissatisfied products of too much ease and a greater intellectual development than their dormant emotional natures are ready for. They go in for Freudian complexes and practise psychoanalysis for themselves and their colourless emotions.

"The Madalynne Obenchains of the world do not commit murder in a mad frenzy of passion; they do it only after deep thought, driven to it by some not understood inner, mental force, and they do it with a certain delicacy. One pulls the trigger of a pistol; then one goes away. It is over—until the arrest. Even then one maintains a discreet silence. It is, in their trials, as if we are treading on familiar ground—there have been many such neurotic love affairs culminating in tragedy in the past."

This sketch of Madalynne was, of course, somewhat inaccurate, and its sloppy tone, garnished with pretentious phrases, was repulsive in a way, seeing that she was almost certainly guilty of inciting a cold-blooded murder simply to spare her own sex-vanity, and for no stronger motive. To kill in a moment of blind mad rage under great provocation is bad enough, but it is a thousand

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times more hideous deliberately to arrange an ambush in advance, to drive about with the victim on friendly terms for hours, and then lure him into the scene of his death at the exact moment. In fact, a crime like that of which Mrs. Obenchain was accused on strong evidence is rather beyond the pale of ordinary sympathies. To think of any woman making up such a fiendish plot and carrying out her part with relentless precision is almost stupefying. Sending a man to his death, and for what? Because it was going to come out that her boasts of his infatuation were false, and she stood to lose the reputation she had claimed as an enchantress of great fascinations!

And it was all in vain, and Belton Kennedy's cruel death did not avail her in the least. Her shallow plot failed in its end, but no doubt she had counted on its complete success, and had looked forward to posing in an original sort of role, as of a woman who had given up everything for the man she loved, to reward his overwhelming passion for her. And then, with happiness only a short length ahead, he had been murdered in her sight and torn from her for ever, leaving only his grave for her to kneel at and bedew with heart-broken tears. That is probably how she sketched the position in her imagination, and hoped not only to save her credit as an invincible charmer, but also to attract intense and widespread public sympathy in the guise of an ill-starred heroine of unutterable griefs.

There was one curious little incident which may have indirectly stimulated Madalynne's schemes, yet it did not attract the eager journalists who were combing the case with a small-tooth comb, so to speak. Its possible significance escaped

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them, though very little got past their vigilance. The incident was this—that on the morning of the murder—August 5th, 1921—there was an announcement in the papers, with emphatic headlines to mark its importance, that Mrs. Edith Lundberg had been found sane and released on parole.

Now, this Mrs. Lundberg had killed her lover not long before, and a jury had acquitted her on the ground of insanity. She was shut up very mildly for a very short time, and then five physicians concurred in the opinion that she was now sane and in no way a menace to public safety, and that better results would be obtained by allowing her to go out on parole than by confining her in an institution.

"You have suffered enough," said the judge, with manly emotion, as he granted the six months' parole, after which she would be quite free.

It is not very far-fetched to assume that reading this case helped to encourage Mrs. Obenchain in her determination to remove Kennedy, for it would suggest to her that, even if she were caught, a few weeks' detention was all she had to fear—on the analogy of this other woman's experience. As it turned out, with all her cunning, she had a distinctly worse time than the simpler Mrs. Lundberg, for she was in prison for about a year, and after two trials was not formally released, with the judge snivelling over her sufferings, but just turned out of prison in a very ungracious manner, the authorities irritably saying there seemed to be no chance of a conviction. Burch was also pushed out unceremoniously, and it practically amounted to the damaging Scottish verdict of "Not Proven."

Considering that they were almost certainly

guilty of a most cowardly murder, 'they got off very lightly. One unsolved mystery in the whole affair was why Burch could have been brought to shoot a man against whom he had no personal grievance ; but, judging by the evidence, Burch was rather an abnormal and peculiar person, and may have been worked upon by Madalynne's persuasions, added to a touch of homicidal mania that is not seldom latent in Americans.

The last heard of Mrs. Obenchain was that she had been living in retirement and studying for the stage, or something of the sort, probably hoping for a success of notoriety, though the United States public is rather tired of bad women who are worse actresses.

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ONE evening in July, 1922, on a very lonely road some little distance out of Los Angeles, there was found the body of a young woman lying all crumpled up, with a badly damaged head, and a large stone—what Americans call a rock—resting on her.

The time of her death was narrowed down to within three-quarters of an hour by the fact that the persons who discovered her had driven up the road about five o'clock, and had seen no signs of her, and had returned in about an hour to find her corpse.

It was hailed as a very mysterious crime, as even the victim was not identified that night; and the detectives and pressmen—who, of course, got to work at once—concluded from the awful brutality of the blows which killed her that it must have been the deed of a wild, inhuman and savage ruffian, for whom they proceeded to hunt, breathing fire and slaughter. At once there was a rumour that someone had seen this fiend in human shape—a Mexican or some such desperado—hovering about.

The victim, lying unknown in the funeral parlour not far off, was described as a young woman in apparently good circumstances, seeing she was fashionably dressed and had silk underwear. She appeared to be about twenty years old, or a little more, and, so far as could be judged

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from her horribly battered remains, she must have been quite pretty when alive. Taking her surroundings and other clues into consideration—the state of the body and so on—the police inferred that she had been lured out to this lonely spot and murdered there.

Traces of a motor car could be seen, other than the car driven by the people who found her, and these traces seemed to stop short of where the body lay and to turn back towards town. But as the mud road soon merged into a smoothly paved one, these traces were promptly lost. However, they offered a slight clue, and the police were trying to identify the dead girl, and also inquiring about this motor, when a highly dramatic turn, as the newspapers called it, was given to the tragedy by a broken-down man, named Armour Phillips, revealing that his wife was the murderess; that the victim was Mrs. Alberta Meadows, a young widow and friend of his; that the motive was jealousy; and that, in the terror and anguish of the moment, he had helped his wife to escape towards Arizona and Texas.

His story was all in pieces, which had to be patched together, but it fitted in with the facts, for Alberta Meadows' people, her father and sister, at once identified the remains as hers. Phillips said that on the previous night his wife, Clara, had come back to him, much stained with half-dried blood, and had hysterically told him he would never see Alberta again. "She is dead, and I killed her."

He did not dare let his wife stay at their little house, but cleaned off the blood and took her to a hotel for the night, which he spent rushing frantically about in a distracted condition trying to raise money for her escape. He got her off by an

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early morning train, but after her departure he had a sort of reaction—whether or not out of compunction about the poor girl, lying mangled and dead—when the horror of the whole thing so unnerved him that he nearly went out of his mind and could not keep the affair to himself. He had to relieve his overwhelming mental anguish by confiding in someone, and he chose a lawyer friend as the safest person to trust. However, the lawyer could not possibly connive at hiding such a thing, and all he could do was to take Phillips and the confession to the sheriff.

The husband's behaviour, by the way, puzzled everyone, and was difficult to account for—it was so inconsistent. Why he should first move heaven and earth to get Clara out of Los Angeles, and then give the whole case away and put the police on her track, seemed inexplicable.

The sheriff, of course, took action at once, and telegraphed to the authorities in Arizona, who boarded the train as directed and caught Mrs. Phillips. She denied her identity, but they detained her all the same and lodged her in the city jail—a most unsavoury place, by the accounts of it—until the Los Angeles sheriff could arrive to assume charge of his prisoner. She was very quiet and rather sulky, but gave no trouble.

The sheriff, with his wife, arrived in a day or two, and lost little time in Tucson, taking Mrs. Phillips back to California by the earliest train they could conveniently travel on. By this time a fair number of enterprising reporters were congregated to work what promised to be a magnificent vein for their papers.

The first "dramatic incident" on the return journey was the confronting of the prisoner with the most important witness against her, one

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Peggy Caffee, a girl friend, who identified her as the murderess of Alberta Meadows. When Peggy came along, Mrs. Phillips was touching up her personal charms and adding a pleasing hint of rouge to her cheeks. Peggy and the detective appeared at the door of the compartment, and, said the account—

“Mrs. Phillips turned around, looked directly at Peggy, and extended a polite nod of recognition to her. Peggy was on the verge of collapse.

“‘Is this the girl you were out riding with last Wednesday?’ Peggy was asked. Peggy gulped and replied in the affirmative with a feeble nod. Mrs. Phillips was holding her powder box. She also nodded slightly.

“‘This is the girl you saw strike Mrs. Meadows on the head with a hammer?’ Peggy gave a second feeble nod of affirmation. That was all there was to the questioning. Mrs. Phillips resumed with her little jar of rouge. Then she sat down beside the sheriff’s wife and commented briefly on their hot trip across the deserts. Peggy was assisted to a seat, and the two women, the accuser and accused, rode to Los Angeles in the same small compartment. Peggy was extremely nervous. She refused to look at Mrs. Phillips, who sat calmly gazing out of the window. Peggy’s eyes filled with big tears that streamed down her cheeks. She nervously stroked a wrap she held on her lap. No words were exchanged between these two young, attractive women!”

As the train neared its destination, Mrs. Phillips could see the big hill that dominated the scene of the murder, but showed no emotion.

“At the Arcade Station,” continued the account, “a number of newspaper men and photographers awaited her arrival. She had a

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short time before told *The Times* correspondent that she would gladly pose for the photographers, as a favour to the reporters who had returned from Tucson with her, and whom she thanked for their little kindnesses to her."

She did pose for them, rewarding them with the broadest smile she had displayed since her arrest. "The throngs that met her at the Los Angeles Station were a decided contrast to the paltry few who had witnessed her departure from Tucson. She left the Arizona city at 2 a.m. yesterday. Less than a score of persons were at the station to see her depart."

After recording this snub for the Arizona city, the reporter warmed up into still stronger enthusiasm and exclaimed:

"Mrs. Phillips will soon become known as the most unusual and interesting woman ever held ~~in the~~ county jail. It is inevitable. She so impressed the Tucson police. Likewise will she impress the local authorities.

"In the face of many extreme discomforts, she has taken everything cheerfully. She is tolerant. She has never yet uttered a single complaint, has never asked for anything, taking all things as they come without a whimper.

"In the Tucson jail, in her filthy and stifling basement dungeon, she passed two nights and days. It reeked with vermin. She slept on a rusty iron cot with no blankets or mattress—only a few newspapers as her bed. She accepted the scant food without a complaint. Patiently she waited in the midnight hours on the depot lawn for the train that was to bring her back to Los Angeles. She slept soundly, and at 9 a.m. arrived in the diner, where she ate a hearty meal.

"The morning grew hotter. Near Yuma she

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shed her smartly tailored coat and slipped into a pink silk flowered kimona, loaned by Mrs. Traeger (the sheriff's wife), and which she wore through the remainder of the journey.

"Her greatest interest was manifested in a careful reading of all newspaper accounts of the murder, of the accusation by her husband, of the statements of Peggy Caffee. The reading of the accounts, containing all the details of the brutal hammer murder, with her name woven into every paragraph, consumed more than two hours. She read them avidly, with the same unchanging expression as if she were reading accounts of a stranger. Only once did she show any signs of worry. She was reading an interview in *The Times* given by her sister. The sister was quoted as endeavouring to keep the news from Mrs. Phillips' aged mother. A pained expression, one of the deepest sympathy for her mother, crept across her forehead. For many minutes thereafter she sat motionless, the paper resting in her lap. But no tears appeared, though the colour had left her cheeks.

"She talked reluctantly, though she was quite voluble with Mrs. Traeger. She said she was an admirer of outdoor sports, that she delighted to bike, to ride horseback, and to drive.

"In her face may be seen a supernatural will power and determination. One notices in her features the suggestion that she is the type of woman whom a man, loving her, would kill to hold that love, and that she would kill for her man."

Here the journalist broke off, no doubt after weary hours of cat-and-mouse watching in the hot train from Arizona. Other Americans may occasionally give up, but an American newspaper

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man never does. He will hang on as long as there is any breath left in himself or his prey. His motto is, "While there is life there is copy."

The next act in this terrible drama was the inquest, and the account of that begins, characteristically, with the verdict, as follows, verbatim :

" ' Alberta Gibson Tremaine Meadows, deceased, came to her death of a fracture of the skull inflicted with hammer blows by one Mrs. Clara Phillips in a premeditated attempt to kill and murder,' was the straight-from-the-shoulder verdict of the coroner's jury, returned yesterday morning.

" Babbling women and giggling flappers ; men in working garb who played hookey from their jobs ; a row of stern-visaged men, the coroner's jury ; police officers, detectives, deputy sheriffs, reporters and newspaper photographers ; rapid fire questions from Coroner Nance ; a sorrowing father, a sobbing sister, and a saddened admirer of the murdered girl, sitting in a corner ; a trembling eyewitness to the slaying, seated in the witness chair—these provided the atmosphere of the tense drama in the John R. Paul funeral parlours.

" The sister, Genora Tremaine, and the eyewitness, Peggy Caffee, were on the verge of collapse—one from grief, the other from the sickening thought of the blood-smeared body of Alberta Meadows. Peggy, attired in a white turban hat, an extremely low-necked green sweater, an abbreviated silk skirt that revealed her shapely white-stockinged calves, was relating her story. Peggy told the coroner she was not acquainted with Mrs. Meadows, had never met her before Wednesday when Mrs. Phillips introduced the two girls as they were stepping into Mrs. Meadows' car at



Ninth and Broadway. She told of Mrs. Phillips remaining all Tuesday night at her house, of Mrs. Phillips' statement that 'she wanted' to go out to a girl's place—she wanted to talk to her.'

"Then it came out in her evidence that Mrs. Phillips brought a hammer on the Tuesday morning, and on Wednesday they met Mrs. Meadows after half-past four, and Mrs. Phillips asked to be driven home in the Ford coupe. Then they drove up to the scene of the murder, the lonely Montecito Drive; and Peggy—her lips twitching, her body shaking as from palsy—clutched the arm of her chair, and in hoarse whispers told how calm Mrs. Phillips was, asking Mrs. Meadows about her car and her dead husband. Then the car stopped, and first Clara and then Mrs. Meadows got out, and the quarrel began. Clara asked if Mr. Phillips had bought the tyres for the car, and the gold wrist-watch Mrs. Meadows was wearing.

" 'She never seemed to be cross,' whispered the trembling witness, 'until she mentioned the wrist-watch. Then she got mad. "He did buy it," Clara said, and then she hit her. They ran down the hill. Clara was after her. I had run down the hill before them. Clara had only struck her once. I think it was then she knocked the girl's hat off.

" 'Then they walked up the hill, back to the car, and when they reached it, Clara said, "You certainly did," and hit her again. Clara told me to get out of the way—I was kind of in front of the girl. I saw blood—I got sick at my stomach—ran downhill; I was sick—leaning against the wall. I looked back—hollered "Help!" I saw the girl on the ground. I saw Clara strike her twice then. I staggered towards the wall—'

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"Here the witness broke down, gasping and crying, and they gave her some water to drink. She looked appealingly at the detective and the coroner.

" 'I don't want to talk about the blood! Please don't make me talk about the blood!'

"After some minutes Peggy partly recovered and resumed her testimony.

" 'Then Clara came along in the car—tooted the horn—told me to get in. Oh! she was awful furious-looking, and I was scared of her. "Don't you dare tell your husband," she told me. She was very mad. Mrs. Meadows' handbag was in the car. Clara dropped her rings in it. She told me, "Remember, you're in this as much as I am." I went home to look for my husband.' "

One gruesome touch came out here—that Clara's rings were stained with Alberta's blood when she dropped them into Alberta's little handbag. Peggy was asked again by the coroner—

" 'Do you testify here that Mrs. Meadows was killed by hammer blows inflicted by Mrs. Phillips?'

And Peggy feebly replied: "I do."

The dead girl's father was called on to identify the body as that of his daughter, and the police officer told of finding the remains, and the broken hammer-handle near them. The detective produced the broken handle, and described the rock found on Mrs. Meadows' body.

"How heavy was that rock?" asked the dead girl's father.

"About forty or fifty pounds."

"Could one woman handle that rock alone?"

"I think one woman could roll it alone."

At this point Genora Tremaine, the dead girl's sister, began sobbing hysterically, upset by the

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bloodstained hammer-handle, and was led from the room by her father. The room was cleared, and the jury gave their verdict in three minutes, as quickly as they could draft it.

All this time the mangled remains of the murdered girl lay in these funeral parlours, and Armour Phillips, her presumed lover and husband of her slayer, paced up and down the sidewalk opposite. According to this account, the calmest person at these painful proceedings was Clara Phillips herself. The story continued :

"Coming dramatically after a coroner's jury had accused her as being the woman who beat Mrs. Meadows to death with a hammer last Wednesday on Montecito Drive, Mrs. Phillips late yesterday met her husband, A. L. Phillips, for the first time since he told the authorities she slew the young widow and had fled to El Paso," said the journalist, with the inquest described ~~and his~~ mind free to make other observations.

"Without a trace of a tear in her eyes and with a smile on her lips, Mrs. Phillips threw her arms around her husband—the man over whom she is declared to have killed the woman she believed to be a love rival. A tiny smile, which at times seemed forced, played now and then across the lips of Mrs. Phillips, when she observed the newspaper men gazing at her. But when she looked up into her husband's eyes and then buried her fluffy brown head of hair on his shoulder, the smile faded and a bit of seriousness passed over her countenance. In front of the big windows the couple who were involved in California's most fiendish murder stood. She cuddled to him as a dove would to its mate, and when he kissed her and whispered to her, she played with the lapel of his coat.

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"A few minutes later the couple posed for newspaper photographers. Phillips was the same debonair fellow he had been through the entire ordeal. In one pose the woman leaned her head against her husband's breast, closing her eyes, it seemed, to blot out the tragedy of it all, except she had him once more.

"He had arrived at the jail shortly before five o'clock, dressed in an immaculate Palm Beach suit, a cap, and black patent leather shoes, and he brought a one-pound box of candy for Clara."

"I have just talked to your wife, and she says she still loves you, and you are the only sweetheart she ever had," a reporter told Phillips, who responded unemotionally that it was good information to hear.

It had been acquired by the reporter while Mrs. Phillips was arraying herself upstairs in a black messaline dress covered with black silk lace, and he (with others) took advantage of the situation to ask various intimate questions—whether she loved her husband as much as ever, and if he was the only man she had ever loved. She said yes, and the reporter went on to suggest that her married life of nine years had been "one great big honeymoon." She paused before replying, and then said slowly: "Well, I guess so. That is—yes and no."

She evaded questions about the crime of which she was accused. "Please do not ask me anything pertaining to it, as I cannot answer," she requested.

Headed off here, the reporter gently tried another line, and inquired if it was true she had become jealous of her husband's stenographer in San Francisco and caused a scene in the office, but she declined to be drawn on this; neither

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would she discuss a report that she had stabbed a man at a local theatre.

The next act in this bloodstained drama was the burial of the victim. "The body of Mrs. Alberta Gibson Tremaine Meadows, mutilated beyond recognition by hammer blows said to have been inflicted by Mrs. Clara Phillips, was laid to rest in Forest Lawn Cemetery yesterday morning beneath a blanket of pink roses." So the account ran. "Outside the chapel the lawn and street were packed with curious people, but they were forbidden entrance to the room where the slain girl's father and sister mourned alone beside the grey velvet casket. Silently grouped outside the chapel also were several hundreds of Alberta's friends, boys and girls she had chummed with and attended parties with, young men and women she had been employed with at the First National Bank, and friends obtained through death."

This last phrase is puzzling, but probably means the sight-seeing crowd. At the actual burying the pall-bearers were all "close boy friends of Mrs. Meadows," and her employer acted as master of ceremonies. It may be added that there was no more public interest shown in Alberta; the community concentrated thereafter on Clara, as more thrilling and dramatic.

Clara was now remanded and held in jail awaiting her trial, which had been set for September. She was not neglected, and articles about her appeared from time to time, one being a study of some importance on the front page of the *Sunday Times* by a vivid writer who gave a psychological sketch of her, which he called, in large headlines of heavy capitals, "A Close-up View of a Terrible Heroine: What Clara Phillips is Really Like."

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After an appropriate introduction, too long to quote, in which he said if he were a young lady accused of murder he would pray to be tried by a jury of reporters, he described his first glimpse of Clara as she was going to jail on arrival at Los Angeles.

"For that instant, her soul was stripped bare. I saw her with the cover off, so to speak."

The crowd surged round her, and he noticed her momentary panic. "She comes from a lynching country. For just a flash, a sudden terror entered her mind. She whipped round, with a movement like a cornered cat, with her back to the auto. If it really had been a lynching party, there would have been a grand fight. For that girl is a fighter. She has the tense, tightened face of a killer. I am not trying to convict this girl, in a newspaper, of murder. I have known many fine and honourable men in whose faces there lurked this same suggestion of menace and danger. It is the indomitable fighting heart; it may make martyrs and heroes—or murderers—according to the other qualities which accompany it. Anyhow, she is entitled to the presumption of innocence until she has been heard in court.

"She has been compared to a tiger. She doesn't convey that impression to me. She has more the cold ferocity and belligerence of a falcon or an eagle. She has the same darting look. That same sense of hardness and deadliness. It is evident that she is lacking in imagination. That accounts for her self-possession. One of the most extraordinary features of this case is that she could have driven home in the murdered woman's automobile."

It might be remarked here that it was less

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extraordinary she should use the car, if the circumstances were taken into consideration. She had just murdered a girl whose corpse lay exposed, she was thickly stained with blood, and she and Peggy were miles away from everywhere, and probably ill-shod with high heels. The car was practically Clara's only chance of escape, and naturally self-preservation was stronger than what the writer called imagination.

He went on : " My psycho-analytic friends say that, if she did this murder, it was because of an abnormally developed subconscious mind. They say that, if it was murder, it was doubtless in a measure an impersonal crime ; that the conscious part of her was a mere spectator."

This was a very pleasant theory for the assassin, but what about the victim ? She was cruelly hammered to death in the springtime of youth, yet everyone lost sight of the sadness of her fate, and did not think it worth while to psycho-analyze her, preferring Clara as more interesting.

The study went on to other points. " Compared with Clara, Madalynne is tame tea. I can imagine the gentle, forgiving, mournful expression that would have been on Madalynne's face if she had been the one who confronted a crowd she feared was about to lynch her that Sunday afternoon. Madalynne is artful and clever. Mrs. Phillips is crude and ferocious."

In addition to these psychological articles, there were descriptions of Clara in jail, and one pressman had the happy thought of interviewing another prisoner, a girl bearing the aristocratic name of Eleanor Madison, who was awaiting her trial on a charge of grand larceny. She was supposed to be only eighteen years old, and was quite ready to talk, being permitted to do so by

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American usage. She began by saying that Mrs. Phillips and Mrs. Obenchain quickly formed an intimate friendship.

"Although Mrs. Phillips and Mrs. Obenchain spend most of their time together, talking and reading to each other, everybody already likes Mrs. Phillips," said Miss Madison. "The two women read the stories of the crime which Mrs. Phillips is charged with having committed, but Mrs. Phillips never comments on the case at all. No one has ever asked Mrs. Phillips about the case, because we feel confident she will not discuss it."

This remark was probably in reply to an attempt on the reporter's part to arrive at some admission of Clara's by a side wind, on the chance that she had been indiscreet in jail. Miss Madison could not oblige him, but gave all the other news she could as to Clara's life and habits.

"She has met all of the girls who are in the women's quarters, and is very agreeable with them all, but she and Madalynne spend most of their time together, and seem to understand each other better.

"Mrs. Phillips smiles most of the time, and laughs and talks. She speaks a great deal about her husband, and I can tell you she surely does love him. However, I think he treated her wrong when he squealed on her. I wish I might tell him what I thought of him. After meeting Mrs. Phillips and finding out what a sweet woman she is, it makes me madder the more I think about her husband telling on her.

"When Mrs. Phillips was first brought up into the jail, she looked around smiling, and said she was sure she would be happy up here, because everyone was so jolly and happy."



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Perhaps inspired by Miss Madison's opinion that Clara of the Hammer was a sweet woman, there was a short leader expressing barely veiled sympathy not long before her trial was timed to come on.

"Blame not our attractive murder heroines," it said; "blame not judge and jury, hearken not unto the coldly judicial critics, when love-murder trials fail of conviction. Say not that our faulty laws create these confusing *débâcles*, and thus defeat the ends of justice. The trouble lies wholly in our human, warm, indecent hearts."

After a good deal more in the same strain, it ended on a similar note.

"Anything, positively anything, committed in the name of love finds the average human being mushily sentimental, imaginatively sympathetic. What though some interesting murder heroine has wiped out some human life—what, oh! what is life compared to love? . . . It is only in what the French call *crimes passionel* that our system falls down. For it is then complicated with that fatal love interest, that romantic sentimentality, that abiding psycho-analytic sex pervasion, that warps our logic, stirs our imagination, tickles our own suppressed passions, and very effectively fuddles our judgment. These human, warm, indecent hearts of ours cannot be trusted to remain judicially calm, stoically impartial, in the face of a passionate love story. She did it for love—and love ever covers a multitude of sins."

This might have been irony, but was more likely letting off steam. In any case, it seemed a curious tone for a leading paper to take in the interests of the judge and jury who were about to try the case, and was calculated to impress the public with quite the wrong ideas.

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Some other little matters also cropped up and were skilfully handled for the satisfaction of readers interested in the case—presumably those with “human, warm and indecent hearts.” One of these incidents was a fight in a café, as related by a chorus girl who had danced alongside of Clara when they were both behind the footlights. This girl was in the restaurant when Clara suddenly rushed in and began hitting her. The manager went at once to separate them, as American managers always do on these occasions, and he gave his version of the trouble.

“I was standing only a few feet away,” he said, “and rushed to separate them, but before I was able to do anything Mrs. Phillips struck the girl several times. She was all I could handle, though I grabbed her arms and locked them behind her. I don’t know what the fight was about, but Mrs. Phillips kept crying out something to the effect that the girl had said something about her. Mrs. Phillips also spoke of her husband two or three times, but I do not remember the exact connection—if any—he had with the affray.”

This manager also remembered and mentioned another little fracas, when Mrs. Phillips was declared to have dragged one of the chorus girls from an automobile, and had to be pulled off her by some men who were present. Far from prejudicing the public, these revelations of the “tiger girl’s” ferocity rather increased the esteem and respect in which she was held, and helped to maintain her in her proud supremacy over tamer and milder love-murder heroines.

September arrived, and Mrs. Phillips was brought into court to be tried, as thus chronicled by her faithful pressmen: “Presenting a sombre and, it seemed, indifferent picture of a woman

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who sits alone, Mrs. Clara Phillips was yesterday called and arose before Judge Houser." Her husband was present, and her sisters were supporting her with glances, but she looked lonely as she sat there, clothed in soft grey with a black hat. She had arrived early and edged through the crowd to the court room, and listened in a bored manner to the preliminary discussions of other cases, burglaries, assaults, and what the reporter called the "swish and swirl of the backwater of human life."

When her case was called she went forward and sat on the chair which several murderers had occupied, and in which they had been convicted and sentenced. The clerk called :

"People *versus* Clara Phillips," and the Chief Deputy District Attorney arose to say :

"The People are ready."

Then the Court addressed Mrs. Phillips.

"Are you ready?"

With a look of surprise at being asked such a question, the woman replied, "Why, no!" her remark being accentuated by a shrug of unconcern.

"Why aren't you ready?"

"I have no attorney. I have been trying to get one."

This angered the judge, and he rebuked her with some warmth of manner.

"I think this is a trick to secure a continuance," he said. "I'll let you get away with it this time, but, Mrs. Phillips, the next time you must be ready. This case will go to trial October 20th, without fail."

The judge then appointed the Public Defender as her counsel, and she was removed back to jail, and after all gained some extra weeks, as her case did not come on until October 25th.

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The first witnesses were Mrs. Weitz and her father, the people who found Alberta Meadows' battered corpse on Montecito Drive. Then Mr. Tremaine was called to identify the photographs of his daughter. Other witnesses were the police officers who were first at the scene of the crime, *The Times* photographer who photographed the corpse before it was moved, the detective who found the "bloodstained handle of the hammer, the undertaker at whose "parlour" the body lay unidentified for twenty-four hours, and the doctor who made the post-mortem examination and certified the cause of death.

Armour Phillips, the husband, was not called as a witness, neither was he arraigned as an accessory after the fact. The chief witness was, of course, Clara's girl friend, Peggy Caffee, who was in the very unusual position of being able to give direct testimony that she had seen the murder committed.

The prosecution had no difficulty in presenting their case, and the interest of the public was rather discounted by the lack of mystery, so their main curiosity was concentrated on the demeanour of the "tiger girl" and the line of defence. The journalists paid due attention to these two points, and wrote freely on them. It is impossible to quote all the comments on the prisoner, but a few remarks may be extracted from a woman journalist's article, which began in a sprightly vein.

"And to think that all this mess could possibly occur on account of Clara Phillips' husband! As he sat in court yesterday, hearing Peggy Caffee's sordid testimony, it didn't seem possible that any woman as bright as Clara could have considered him worth all that agony. I had rather imagined that chorus girls and newspaper women at least

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knew how to sum men up. To me he looked just a mediocre sort of chump, a not too bright mechanic in his best clothes, immeasurably impressed with his important role in the proceedings."

This woman writer, by the way, is British, and of a ferociously anti-man temperament, never missing an opportunity to express ultra-feminist views of the wonderful superiority of her own sex.

"Whereas," she continued, "there really is some class to Clara. If she isn't a gentlewoman born, she is certainly what Elinor Glyn would call one of Nature's ladies. No matter what my belief, I felt compelled to admire her poise. And poise is a cultivated attitude."

Battering a girl to death, and mangling her so terribly that even an American undertaker could not patch her up for public view, was apparently this journalist's idea of poise as a cultivated attitude, and quite correct conduct for one of Nature's ladies!

"For instance," she continued, "imagine an officious middle-aged woman fluttering up to her in the brief recess, and saying: 'You don't know me, my dear, but I am here with kind intentions. I want a good look at you—please remove your hat;' and, suiting her actions to the word, she started to pull Clara's hat off.

"Clara's attitude was immense. She swept her aside with her gesture of easy command.

"'You will really have to excuse me,' she said. 'I don't wish to remove my hat, and I don't want your kind intentions.'

"But the officious dame required more snubbing than this—hyper-virtuous people can be so insulting.

"'What, may I ask, is your religion?' she asked.

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“ ‘And I don’t care to discuss that either,’ replied Clara, looking past her, through her, with all the aplomb of a duchess with a devastating lorgnette.”

The journalist herself, warned by this exhibition of aplomb, took care to be presented in proper form, with the respect due to such a gorgeous and well-poised murderess.

“Her recognition of me was superb, gracious condescension,” she recorded with modest satisfaction. “She assumed a quiet, polite, weary little smile, infinitely bored. And she turned to gently reprove a reporter who, she said, was bent on hanging her.

“ ‘Do you read all the papers?’ I asked.

“ ‘Oh yes, I do!’ she answered, with that insouciant manner that implied a shrug of the shoulders. ‘Wouldn’t you?’

“And I decided there and then that the reporters had better leave town if Clara is acquitted. There was infinite scorn in her caustic little smile. Clara is possessed of a motion-picture sort of a lawyer. He has a tremendous voice, and duly registers ‘magnificence’ on set occasions. He holds his hand in the small of his back when presenting some of poor little Peggy Caffee’s former testimony for her confounding, and looks down at her from pompous heights.”

Clara’s lawyer certainly did his best for her in twisting all the evidence to make it tell in her favour, and browbeating the witnesses, especially poor Peggy Caffee, whom he treated with disgraceful violence. But somehow this lawyer, or Clara, or both together, made an extreme miscalculation in their scheme of defence.

If Clara had been well advised, she would have told the judge and jury that she was driven out

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of all control by the treachery of Alberta Meadows in trying to steal her husband from her—the only man she ever loved; that she began simply remonstrating with the girl for her wicked conduct, when the girl insulted and struck her. After that she saw red, and struck back, and was so outraged by a blow from the girl who was trying to wreck her whole life's happiness that she did not realize what she was doing. In this terribly wrought-up state, could anyone hold her accountable for her actions.

If she had talked like this and played freely on the emotions of the jury, she would almost certainly have got off altogether, or received a very light sentence and an early release on parole, especially as there was some doubt as to the real character of Alberta Meadows, also as to her relations with Clara's husband.

Even a plea of temporary insanity might have availed, but she did not try this, and instead did the most foolish thing imaginable. She told an absolutely preposterous story, accusing Peggy Caffee of committing the murder, and transferring to Peggy all the evidence against herself.

This was too much for even an American jury, strangely sympathetic with criminals as they generally are, and they could not swallow it. Two minutes' reflection disposed of her defence—which was probably her lawyer's mistake, and not hers—for if she were not guilty and Peggy had killed Mrs. Meadows, why did she go to her husband, all bloodstained, with her terrible confession? Why run away? Then, when Peggy was confronted with her in the train at the first accusation, why did she tacitly accept the situation, instead of at once retorting on Peggy: "You know you killed Alberta."

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Besides, Peggy had no quarrel with Mrs. Meadows, and was, moreover, a small and rather weak young woman, with not much hardness in her character, judging by her appearance in the witness chair. The idea that an ordinary girl like this, without any motive, could have beaten a stranger to death in that relentlessly savage manner was quite incredible.

The jury took this view, and for a wonder agreed. They gave a verdict of "Guilty," and Clara Phillips was sentenced to ten years' imprisonment—not an excessive punishment. Her attack on Peggy's character alienated public sympathy, for people could see that Peggy was a poor little thing, rather pretty and not destitute of good feeling. She had trembled and wept in the witness chair, and gave her really ghastly evidence in whispers, on the verge of collapse. Everyone felt that she had been through a horrible ordeal in actually seeing such a brutal murder, and it was not forgotten that it was Armour Phillips, and not Peggy, who put the police on Clara's track.

No one admired him for this performance, since it suggested that he might have been fond of Alberta Meadows and had broken down under the strain of her dreadful death. Why he was not called as a witness, or made accessory to the crime, is a mystery. It is possible that he refused to incriminate Peggy Caffee, or his evidence would have bolstered up the defence.

Clara went temporarily into oblivion, but soon revived public interest in her fortunes by escaping from prison, and a wonderful story was told of her dauntless courage in scaling roofs and sliding down water pipes, climbing like a sailor or a monkey. But there were some prosaic persons



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who inclined to believe the rumour that the prison matron was blind and deaf at the right moment when Clara quietly walked out and got into a motor car that was waiting for her.

She had a run of some months, and then the Los Angeles police rather cleverly got her in Central America. It was not certain where or how she raised the money for her wanderings. Perhaps her husband financed them.

She was brought back to St. Quentin Prison in June, 1923, and did not have a bad time, all things considered. The matron gave her a good character as being quiet and well behaved, and her companions did not ostracize her on account of her hammer work. In fact, she met a kindred spirit whom she had known in the Los Angeles jail, a convicted murderess who had killed a man in a fight over the possession of a beach cottage.

The routine was not unduly harsh. They rose at six o'clock, and had breakfast at a quarter past seven, a heavy lunch at noon, a light dinner at five, and had to be in their cells at seven, with lights out at nine. They could have money placed to their account, to buy everything they wanted except candy, fruit, or anything in which narcotics and other prohibited articles could be smuggled. Letters were allowed, subject to the Warden's censorship, and a visitor every month, and they could amuse themselves sewing or playing the prison piano. There was a moving-picture shown once a week, but smoking was forbidden.

Reporters still hovered round, and one pressman reported that the "tiger girl's" locks had been bobbed, to get rid of the henna dye she had used for disguise. It was noted that she seemed to have lost her spirits somewhat, and that she

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was rather weary. But she persisted in her ridiculous story of her innocence, and Peggy's guilt. She even elaborated it, and had apparently persuaded herself into a kind of obsession on the subject—that she was paying the penalty for the crime of another. Tackled about her confession to her husband, she vowed he had lied about it.

“I told him,” she said, “that there had been a fight., I didn't know then that Alberta Meadows was dead, but I told him that a woman had beaten her with a hammer.”

The reporter reminded her that she had run away, and she was ready with an incredible explanation—namely, that it was after her husband insisted on her going that she left. She talked in this foolish strain, with all the gaps in her narrative wide open so that anyone could easily see through them. The reporter quite evidently did, but he was not hard on her, merely remarking that she looked broken down.

She ended by announcing that she expected to see her husband and sister in the near future, and that she was only interested in clearing her name and securing her freedom.

“I know,” she declared, “they are doing everything that can be done, and soon everything will come out right.”

She may still be in prison, but in view of American methods it is more likely she is out on parole.

After all, as Alberta Meadows was the only person she had hammered to death, surely she could claim the privileges of a first offender!



## THE HOODED MASK



## THE HOODED MASK

THE original Ku Klux Klan, so vividly shown in D. W. Griffith's wonderful picture, "The Birth of a Nation," was started to protect the South against some painful effects of their defeat in the Civil War. Described by its friends, it was a necessary and gallant band of high-minded patriots, but the Federal Government hunted it down more than half a century ago as a criminal organization and conspiracy.

Though it is dead and done with, its designation was borrowed eight years ago by a man named William Joseph Simmons, who inaugurated a modern version of the once famous—or infamous—order. He boldly called it the Ku Klux Klan, and revived the Hooded Mask and the Fiery Cross, declaring that the objects of the new society were to support the United States Government, to uphold the supremacy of the White Race and the Protestant religion, and also to oppose the Jews.

This is a fairly miscellaneous and comprehensive programme which is calculated to offend some susceptibilities and make trouble in various quarters. Supporting the Government sounds well, but as it suggests weakness in the executive it is not entirely acceptable at Washington, D.C. Asserting the supremacy of the White Race, of course, rouses feeling against negroes and stimulates racial prejudices to danger-point. Upholding

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Protestantism has a vague grandeur about it, but it accentuates religious differences, being aimed at Roman Catholics. Still, these three planks in its platform are less likely to wreck the Klan than their fourth principle—to oppose the Jews.

At first the new Ku Klux Klan was smiled at and joked about, but it soon caught on and rapidly increased in numbers. The reason for this is on the surface, and is no attachment to the Constitution, or anxiety about the White Race and the Protestant religion, or even dislike of the encroaching Hebrew. It is simply that modern American life lacks pageantry and romance, and human nature hankers after these stimulants even amongst giant skyscrapers and the universal triumphs of machinery and engineering. Robert Louis Stevenson described this craving in "The Lantern Bearers," with their bullseye lanterns buttoned under their boys' coats as they wended their way to talk nonsense in the shelter of the old boat.

The Ku Klux Klan appeals to the same instinct—which, curiously enough, seems stronger in men than women—and to dress up in a white robe with a hooded mask, to raise a fiery cross, wave torches and indulge in weird ceremonies of initiation in the secret depths of wild woods, has attracted many worthy and solidly respectable citizens.

For example, not two years ago in Illinois they held the largest gathering ever known of the Ku Klux Klansmen, so the report said, and the ceremonies of their ritual did not end until "approaching dawn dimmed the fiery cross high over the assemblage." The number present was estimated at from thirty to fifty thousand persons, and while bonfires "flamed from surrounding

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hills, more than two thousand candidates were naturalized into the Invisible Empire." (Candidates must be native born white men of the Protestant faith.)

At this meeting, nine miles from Joliet and about one hundred miles from Chicago, white-robed figures in hooded masks guarded the roads while what the reporter called weird and secret rituals were conducted by the light of flaming torches. In these ceremonies the candidates, it was said, kissed the American flag, swore to obey the injunctions of the Klan, to uphold the supremacy of the White Race, and to defend the defenceless. When the rites were over, the reporter lapsed into prosaic details, and remarked that the hosts melted away and the roads were jammed for hours with automobiles.

All this sort of fun naturally brings out crowds of "Lantern Bearers," and on the surface seems harmless enough, if just a trifle absurd. But the underlying principle—that of a secret society—always carries trouble, and is wholly inadmissible to-day in any civilized country. There are inevitably two sides to these fraternities—the exoteric or open side, with masses of well-meaning and loyal citizens; and the small inner circle of fanatics, half insane and half criminal.

The respectable majority has no realization of anything beyond a touch of folly, and they try to "save their face" and soften down the ridiculous aspect by persuading themselves it is necessary for their own protection and the preservation of their country to join the White, Protestant, American Klan. They resolutely shut their eyes to anything undesirable in the movement, but other citizens are not so blind.



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The Klan spread over the South and gradually worked its way to the Pacific Coast. It established headquarters at Los Angeles, among other places, and flourished quietly. For some time it seemed negligible, until suddenly it staged a spectacular display, to the surprise and indignation of the city.

Without any warning, about two hundred hooded masks appeared as night riders at Inglewood, a small place not far from Los Angeles. They raided the village one night in April, 1922, to deal out Klan justice to a family they suspected of supplying liquor—indeed, of being bootleggers, with the stuff concealed on their premises. This gave an excellent excuse for the masks to ride in the best melodramatic style, though a little cheapened by the use of motor cars instead of ramping, rearing steeds.

One of the organizers—called a Kleagle—had been busily soliciting new members in Inglewood—and getting them, too. On the night before the raid he presided over a joyous meeting of the newly initiated Klansmen, who gathered—rather gruesomely—in the undertaker's chapel. This was probably selected as a quiet and impressive spot where outsiders were not likely to intrude. Hearing of the treat in store, additional members enrolled at the meeting, and the raid was organized by the Kleagle.

The next night the "masks" from other places near assembled in the garage of a new Klansman. It was in the dusk of the moon, and the raiding party was got ready and set out for the house of the suspected bootlegger, who bore the somewhat un-American name of Fidel Elduayen. He and his brother Mathias were found and made prisoners, tied with ropes, and later on secured with handcuffs.

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This seemed to excite the Klansmen, and they began to enter into the zest of the performance. They went on to attack Mrs. Elduayen and her two young daughters, whom they dragged out of bed, quite unnecessarily—except for spectacular effect and to be doing something terrific. The girls were made to shed their nightgowns and dress before the masked Klansmen; and while this was going on another detachment of the raiders seized a quantity of wine, for which Elduayen protested that he held a Federal permit.

These were merry proceedings, but they were suddenly checked by the arrival of a night marshall, a plucky young fellow of twenty-three. He had received a telephone call that hold-up men (rather a sordid name for the romantic-souled clansmen) were on Pine Street, and, with another youth of seventeen, he boldly drove towards the Elduayen's house. A mask outside on guard tried to stop him, telling him to hold up his hands. The marshall was made of good stuff, for he answered: "Throw up your hands yourself! I am an officer."

There was a threatening gesture from the Klansman, and the marshall fired. The "mask" fell, and other "masks" ran out towards him. This brought on more shooting, and the police officer winged three of them, one of whom was mortally wounded. As he died they removed his mask, and he was discovered to be the local constable, who had gone back on his responsibilities and lawlessly joined the raiders. It was felt to be a case of poetic justice that he should be the only man killed, and that he fell by the hand of his brother officer who had remained loyal and done his duty. The dead constable ought, of course, to have been keeping order and protecting the

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inhabitants of Inglewood, instead of flying by night with the Ku Klux Klan.

It is not clear what happened just after the shooting; but in spite of the marshall, the raiders managed to hang on to the bootleggers, and tried to lodge them in Inglewood Jail, on a charge of violating the Volstead Act. But as the Klan were themselves doing far worse than this in violating the whole spirit of the American Constitution, the City Marshall very properly declined to accept prisoners from them. They took their captives to Redondo, and were again snubbed by the police. This put the hooded masks in an absurd position—to be offering bootleggers in vain—so after driving round the country aimlessly for some hours, on the approach of morning the Klan had to make the best of it and ingloriously to release them without even a touch of tar and a few feathers to mark the occasion.

When the news of this night ride got abroad the next day there was fury and excitement, especially in the columns of the local press. In every part of the United States these excellent journals supply the place of the Greek chorus, with apposite comments of great vigour on the action of the play. They shed strophes and antistrophes on this night ride, to the edification and instruction of their readers.

These comments were tragically serious at first, and were couched in strains of lofty eloquence. In large black type and a broad double column, a leading article entitled "The Night Riders of Inglewood" began:

"The night riders will discover to their cost that they picked out the wrong town."

"No armed mob shall ride down the forces of law and order in this community."

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“ Los Angeles has no place for any variety of thuggery, masquerading under the name of law, attempting to set aside the principles of trial by jury in favour of night riders concealed under the cowardice of masks.

“ A sudden passion for mob violence has been sweeping across this country like an evil pestilence.

“ Sooner or later it was inevitable that it should seek to befoul this community.”

The article went on to point out that “ a mob is a mob ; it doesn't matter what secret pins it wears or what fraternal grips it exchanges. In fact the motive of the mob has no bearing on the question. Mobs lead to other mobs ; to mobs whose purpose is unmixed evil. Every member of that mob of two hundred men must be brought out and punished with a severity that will leave no doubt in the minds of the next mob as to what will happen to them.”

Everyone admired and endorsed this scathing article, but public interest was presently diverted to the funeral of the faithless constable. This was a very popular entertainment, for Americans like big funerals, and their undertakers are artists who know how to make the best of a corpse. The deceased is generally exposed to view in his or her coffin, called a casket ; this is known as lying in state. An elaborate toilet is made, and the body is carefully groomed and washed, shaved (if a man), hair prettily arranged in both sexes, a touch of rouge and powder employed daintily, and decorations of flowers gracefully added.

The account of the ceremony was distinctly interesting and typically American—one might say, Western. “ Inglewood was like a city

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uninhabited at the hour of the funeral. The town almost in a body had gone to the country chapel to attend the services. An hour before the time the chapel was crowded. Elderly women predominated."

Everyone, of course, had deplored the wickedness of the raid and the shocking disloyalty of the deceased in joining it, but they did not see why they should refrain from attending such a solemn and unusual function. They did not profess to go out of respect or sympathy, but because the show was too good to miss in a dull town.

Apparently the constable had been a Christian Scientist, for that denomination held the first part of the service in the chapel, with their accustomed simplicity of ritual. There was only a reading of Scripture and "two sorrowful songs." Then the congregation filed in a long, slowly moving line past the open casket. This is the moment when a thoroughly up-to-date and competent undertaker has a chance to display his master-hand in the great art of manipulating a corpse, and thus attract custom to his "Funeral Parlour," as these private morgues are delicately called.

On this occasion there was an additional interest attached to the undertaker, as he had given the use of his chapel for the meeting at which the night ride was planned. He was also one of the masked raiders, and the "outside guard," as he admitted at the inquest. He had seen his brother Klansman killed, prepared him for the grave, and now superintended the obsequies.

After Inglewood had decorously enjoyed their sight of the remains, the coffin was closed and

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carried out to the grave, where hundreds of people were waiting. Here it was revealed that the deceased had been a Free Mason, when members of his Lodge stood at the graveside, and some who were in Masonic Regalia conducted the last Masonic rites over the coffin. Two of these Masons had been important witnesses at the inquest, but that apparently made no difference—which gave colour to various rumours of Masonic affiliation to and sanction of the Ku Klux Klan.

At the end, after all these protracted ceremonies, the reporter remarked that, "to observant ones, Constable Mosker's funeral also comprised the burial service of the Ku Klux organization." He had mentioned this idea before, and liked so well to toy with the "conceit" that he dwelt on it lovingly again, also noting with satisfaction that the deceased constable had in death been forsaken by the Klan. "Ku Klux Klansmen, hidden beneath white robes and masks, always visit the graves of a departed Klansman after all the mourners leave. They hold a small service of their own and place a floral offering. The Ku Klux Klan did not visit the grave of Constable Mosker." Some people thought the Ku Klux Klan had too much sense to risk it in the state of public feeling against them. They might have had their robes and masks torn off, and been slapped in their faces with their floral offering.

After this funeral the City authorities, in addition to the inquest, held a searching inquiry into the raid and the local activities of the Klan in connection with it. The results were rather disquieting, and revealed a state of things that the Press called "invisible government," for it came out that only a month before the Inglewood

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raid, the Grand Goblin, or head of the Ku Klux Klan in the city, had presumed to investigate the conduct of a Supreme Court judge and jury, after it had been reported to his Goblinship that they had committed an injustice. The account given by the Grand Goblin himself was that a woman—whose name he withheld—complained of an injustice at the hands of this judge and jury.

“I made a complete investigation,” said the Grand Goblin, “and went into all the official records of the case, and after a most careful effort to get to the facts came to the conclusion that the case was not one where tar and feathers were called for. I turned the papers in the case back to the woman and notified her that, as we viewed the matter, the Klan could take no action.”

This was a distinctly prudent conclusion for the Goblin to arrive at, as tarring and feathering a judge of the Supreme Court, with twelve jurors, would have been a considerable undertaking in Los Angeles, and might easily have resulted in a good share of these correctives being administered to himself and his Klan. Some people regretted his discretion, as a demonstration of Ku Klux Klan justice with tar and feathers would have been a hilarious entertainment for spectators.

The Grand Goblin was “grilled” and questioned and worried and warned until he felt very limp and unhappy, but he need not have been apprehensive, as before long the irrepressible American sense of humour prevailed, and his name alone proved to be a protection, especially when the papers joked it into the “Grand Cockalorum” and began drolling about him and

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his kleagles. Before long articles were published ridiculing the whole organization, and a writer in *The Times* remarked that one of the most convenient and practical methods of "fighting to the last ditch" was to make a rapid movement rearward, "hunting for the last ditch, leaving the rest of the boys fighting in the first ditch."

"That seems to have been the method adopted by the Grand Chief Pooh Bah of the Ku Klux Klan, who has coolly disavowed the Klan members who took part in the Inglewood affair," said the writer, "and has demoted and reduced to the ranks a distinguished horde of king kleagles and emperor kleagles."

A week or two later there was an even more jocose attack on Klan dignity, saying: "First thing we know there will be a shortage of kleagles. It is even possible that America faces a famine in weezicks. The grand goblins are worrying about the future. Although nothing is being said for publicity, it is conceded in high circles that the Klan is under a cloud. The revenue from initiation fees and the sale of regalia was princely in character. There was a regular line-up of men who were anxious to subscribe to the oath of the order, and possibly win the embroidered pyjamas of a grand geezer. But there are no volunteers now. Even the prospect of being a wizard has ceased to invite. The members are finding that they can express themselves as individuals—in council or at the ballot box—and accomplish what they wish easier than by having a nightshirt parade by a masked mob. That will get them nowhere but the county jail.

"That is why there is a distressing paucity of kleagle timber. Men are not so eager to pay a lot of perfectly good money for the doubtful



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privilege of wearing the habiliments of a ghost. That is why some of the harrowed goblins and wizards are beginning to worry where the next meal is coming from. It is time to worry."

This good-humoured dismissal was, as a matter of fact, a little premature, seeing that the Klan soon afterwards made a considerable success in Texas, carrying some elections, and this in face of the fact that the Free Masons had previously thought it necessary to disavow the Ku Klux Klan in a letter from the Grand Master of the California jurisdiction. He wrote firmly, because the idea had got abroad that the Klan was secretly affiliated to Masonry, or at least that Klan activities were not disapproved by Masons.

However, enemies seemed to stir up friends, and a conspicuous evangelist of the Methodist Episcopal Church came forward to champion the Klan, saying in his customary exaggerated style that he would rather die than see it disbanded. His indiscreet fervour was explained when he asserted his reason—that the Roman Catholics controlled the public officials of Los Angeles, and things were so rotten "one had to hold his nose when he goes around the District Attorney's office."

The reverend gentleman heightened the effect by declaring that the Ku Klux Klan was founded on St. Paul's Epistle to the Romans, and he urged the members "to stick to their jobs until present conditions were remedied, and to stay within the law at all times." Whether he considered the Inglewood raid as being within the law is not recorded. He seemed to have spoken at a genuine Klan gathering, where the Fiery Cross was raised, and there was a reading of the oath and the ritual. A local doctor was in charge of

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the meeting, and the proceedings, brightened by the evangelist's presence, excited great interest. It was before the elections in Texas, and probably helped the Klan there, because—as the papers pointed out—the Klan succeeded in “sweeping itself into power politically, owing to its appearing before the electors in a cloak of Protestantism, supported by the women.”

The creator of the modern Ku Klux Klan had allowed his organization to fall into the hands of agents who preyed on the emotions and imaginary fears of various sections of the people in order to secure members. They varied their appeal skilfully according to the conditions of the district. Thus in East Texas they based their plea on opposition to, and fear of, the large negro population, while in West Texas they used the presence of Mexicans as a bait. In big cities they pointed out the domination of business interests by the Jews, and the alleged destruction of the free school system by the Roman Catholics. All those arguments were used as lures to the native-born, white, Protestant Gentiles to join the league.

Meanwhile Simmons, the founder and head of the Klan—or, in their own jargon, “Imperial Emperor of the Ku Klux Klan”—was too astute to neglect feminine influence. Therefore he organized an auxiliary brigade for women, to function alongside the Klan. This was said to be the result of a nation-wide appeal from the softer sex, and Emperor Simmons announced that native-born, white, Protestant women of America, above the age of eighteen, would be admitted to the order. He promised to issue the ritual in a short time, and the new secret society was to be devoted “to a new consecration of the American home,

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the American Government, and the American creed of Christianity as taught by the Protestant Churches." The "Imperial Emperor" then encouraged himself and all his followers by reviewing the growth of the Ku Klux Klan, which he founded only a few years before, and declared that in its success he had seen the accomplishment of a dream of his youth.

This auxiliary order, under the name of Kamelia or Kemalia—it was spelt both ways in the Press—started off with an alleged membership of half a million women, all native-born, all white, all Protestant, and all above the age of eighteen. It had a feminine head, but instead of being an Empress, she was known under the quieter title of President, and she avowed that they had adherents in seventeen States, and were going to extend their machinery to every State of the Union. Simmons, whom she called "Colonel" for a little change, was to be "the supreme ritualistic officer, with the title El Magus;" and the two cardinal principles of Kamelia (or Kemalia) were (1) to defend Protestantism, (2) to preserve American institutions. "Beyond that," said President Grace Jones mysteriously to the reporter, "our work is secret. I cannot tell you any more."

March, 1923, was the date, and somewhere in the South was the place of this declaration; and what gave point to it, and made it seem sinister that women should care to join an auxiliary of the Klan, was an occurrence about three months earlier, when a really ghastly crime had been traced to the Ku Klux Klan in Louisiana. The terrible details must have been known to some at least of these feminine enthusiasts who followed their El Magus.

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This crime was discovered at Mer Rouge, Louisiana, as an outcome of the energetic effort made by the Governor of the State to quell these lawless bands of masked raiders. What brought his activities to a head was that suspicions were roused over the disappearance of two men who had been missing for months, and searched for without avail until in some mysterious way their bodies were traced to a lake near a place called Eastland Ferry. When found, these bodies were bound hand and foot by wires, and were nude except for belts and portions of trousers. One man's head was gone. The father of one, named Daniels, identified the body of his son, and the other was known to be a man named Richards.

There was no sleep that night for people in Mer Rouge and other places near, said the reporter, and he added that the vindication of Governor Parker and the finding of the bodies had roused varied sentiments in the neighbourhood. So varied were the sentiments and so hostile the people to the investigation that the Governor thoughtfully ordered out a machine gun company to quell any disturbance that might arise in Mer Rouge parish over the finding of the bodies of the two missing men, Watt Daniels and Richards. Other soldiers were already on the scene. This in Louisiana in December, 1922 !

A man whose name could not be given just then told how the two victims came to their death. His statement said :

“ When the hooded band waylaid J. S. Daniels, Watt Daniels, Davenport, Richards, and Andrews, murder was far from the thoughts of its members. The band kidnapped the five men with the intention of questioning them concerning their attack on Mr. McKein, former Mayor of Mer Rouge.

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"The five men were bound and taken to a place in the wood near Mer Rouge. There a kangaroo court was convened by the mob, with the hooded men acting as judges and jurors, to wring confessions from their victims. The hooded men whipped J. L. Daniels, father of the missing Watt Daniels. The elder Daniels is seventy years old. The son protested the whipping of his father. He burst out: 'It is a hell of a state of affairs that you whip my father while I am bound, and that I must hear his pitiful cries for mercy and am not able to help him.'

"The mob thereupon turned its attention to Watt Daniels and Richards, who was sitting beside him in an auto. They were questioned regarding the attack on Mr. McKein. They declared they knew nothing of the incident, reiterating the denials of the elder Daniels. The lash was applied to both men. Watt Daniels struggled. He managed to free one arm and tore the mask from the face of one of the masked men. He recognized the man. This member of the mob, finding his identity discovered, quickly drew his revolver and shot Watt Daniels before he could cry out the name of his assailant. Richards stood near by. He had also seen the face of the unmasked man, and showed by his change of expression that he had recognized him. Then Richards was also killed.

"Finding themselves with two dead bodies on their hands, the mob held a council. They quickly released the other kidnapped men, warning them not to repeat anything they might have seen or heard. What to do with the bodies worried the mob. As they were near Bayou La Fourche, they decided its waters offered a solution of the problem. Putting the bodies in an auto, they

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drove rapidly to the lake. The old negro ferryman, seeing the hooded men, fled. On the shores of the lake were two heavy iron wheels. With these the bodies were weighted and sent to the depths of the lake, with the hope that the disappearance of Daniels and Richards would remain a mystery."

Here the personal narrative ended, and one infers that the other three victims, who were released, knew only of the murder of their two comrades, and had no idea where the bodies were hidden. Even so, it is strange they gave no hint to the authorities of what had happened, and that Watt Daniels' father was silent about his son's fate. It reveals a lamentable state of intimidation connected with upholding American institutions, the White Race, and the Protestant faith.

The reporter went on to say that Governor Parker had gone to Washington to get the Attorney-General to institute the search for the bodies in Lake Lafourche or the surrounding lakes. But here a point of American constitutional law intervened, and after a conference with the President (Harding), the Attorney-General refused to undertake the job, it being an interference with State rights against Federal authority.

Governor Parker therefore had to return and do the work himself, in face of local hostility. He was, however, determined to find out about the fate of the two men, missing for months and presumably murdered. With five helpers lent him by the Federal Attorney-General, he set to work, and these men found the lost citizens, and by a charge of dynamite the bodies were blown up from the bottom of the lake just before Christmas.

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The broken remnants of these unlucky citizens, a sacrifice to mob violence, were removed to an undertaker's place, and guarded by the military pending the arrival of additional troops from New Orleans. An inquest was ordered, and the Attorney-General of the State (as distinguished from the Federal Attorney-General at Washington) with two pathologists were to attend.

Mer Rouge citizens were still in a curious frame of mind, and they believed that martial law would be proclaimed and arrests made by the troops. "Everything was quiet and peaceful on the surface," commented the newspaper man, "but those informed are authority for statements that there is an underlying feeling of bitterness." In other words, Mer Rouge resented any interference with their nocturnal amusements of flogging and murdering, and to cope with their prejudices about two hundred soldiers were gathered, and a large complement of machine guns. The Governor steadily declined to make any statements to the Press, and said the Attorney-General (meaning the prosecution) would do all the talking.

It is not for a Britisher to comment on this sickening story, and one prefers to record some American indignation from *The Times* of Los Angeles, in a leader which sums up the situation adequately and firmly.

"None who read of the murders committed by the Ku Klux at Mer Rouge can be honestly deceived concerning the menace to Government and society of such an organization. The men killed were upright citizens. They had never even been suspected of the commission of any crime. They were slain because they had the courage to protest against the invisible government of the Ku Klux. They had insisted that

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none should be punished who had not been lawfully convicted, that none should be judged except in a legally constituted court of law ; that no group should be permitted to exercise through terror an autocratic domination over the community.

"Members of the Klan who have confessed say they were told by the high officials that they must make an occasional raid, must show themselves in force, and discipline whoever opposed them, in order that there might be a wholesome fear of their authority. The sheriff and most of the county officials belonged to the Klan. The members were safe from conviction because the sheriff drew the names of those who were called for jury duty in the criminal court.

"When a group of law-abiding citizens in the community refused to obey the dictates of the Klan and sought to bring the night riders to justice, the Klan slew them."

The writer went on to say that if the State of Louisiana was not strong enough to punish the murderous night riders, it became the duty of the Federal Government to help. He also pointed out that while the alleged leader of the Ku Klux Klan in Louisiana had fled to another State and was fighting extradition, members of the Klan had circulated a poster, warning people that "unless the prosecutions are dropped, the moss will be red on every tree in Mer Rouge."

The pressman thought that such a challenge to constituted authority could not be permitted to go unanswered. But time passed, and it was difficult to gather that any decisive action had been taken in the matter. It seemed to be in abeyance on a kind of understanding : "If you stop, we can stop."



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In any case, it is instructive to note once more that, only three months after these terrible revelations at Mer Rouge, half a million white, Protestant and presumably respectable and intelligent women from Georgia, Kansas, Alabama, and other adjacent States, clamoured to enrol in an auxiliary order to work in spirit and principle with the Ku Klux Klan.

Was the moss on the trees of Mer Rouge not red enough to warn them ?

## MADAME SARA AND BLACKMAIL



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IN the nature of things, blackmail is a crime that is very difficult to observe. Its operations are naturally hidden for the most part, and even when a blackmailer is brought to justice—which is regrettably seldom—there is a strong tendency to cut the proceedings short and expose the prosecutor as little as possible.

It is perhaps the one crime that baffles the indefatigable journalists of the United States, as both the victims and the harpies who prey on them are apt to be inaccessible, and not willing to talk even when found. But although individual cases are not often unveiled, the general scope of the evil, with its conspiracy and its ugly methods, can be gauged from police revelations and other hints, especially from private detectives, who probably see more of its secret and infamous workings than the ordinary authorities do.

To take the opinion, expressed in 1922, of a very well-known detective—W. Sherman Burns, head of the Burns Detective Agency in New York City—more than three million dollars a year were being extorted from wealthy New Yorkers by what he called a “national blackmail trust.” American criminals are nothing if not thorough and methodical in their work, so they have organized a businesslike and comprehensive system of blackmail, worked as a national institution.

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Men and women of national importance were everywhere victimized, and the "trust" was operating all over the States, with a total annual loot that Mr. Sherman Burns pronounced to be simply appalling, New York City alone contributing—as stated above—three million dollars.

He asserted that the amount of money realized by blackmailers "almost equalled the annual combined harvest of all the highwaymen, burglars, pickpockets, train robbers and postal bandits in America."

"Blackmail is the big crime in America to-day," said Mr. Burns. "The facts of these cases are not published; the police hear of scarcely ten per cent. of them. A list of the recent victims would contain names of national prominence; its publication would create the greatest sensation this country has ever known.

"More blackmailing is going on to-day than any time in my knowledge, and it is not safe for a man or woman of wealth to make a chance acquaintance in any of our large cities. The most innocent meetings may be made the basis for demands for great sums of money. The amount that is daily wrung from the pockets of victims is simply appalling."

This was in the nature of a timely warning to indiscreet persons, and may have had some effect; but for some mysterious reason—probably the monotony of their lives—rich Americans of both sexes seem to have an unusual zest for, and proneness to, little social adventures that are entirely harmless until a blackmailer comes in to complicate matters.

These "bitten" people naturally do not often pass their experiences on to warn their friends, and the ugly game can be continued very profitably

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and at small risk to the reptile who plays it. Now and then a blackmailer is shot by an over-driven victim, and very occasionally the police are called in and put on the track of these evil-doers. But it is generally too late, and sometimes, no doubt, their escape is engineered by other victims.

Here the gap between Federal and State government and control undoubtedly aids the blackmailers, for if they get over the border to another State—not a difficult matter in these days of automobiles—they are often hard to trace, and when found have to be extradited, with a lot of trouble, before they can be arrested by the authorities of the State in which the crime was alleged to have been committed, and removed back there to be tried.

A blackmailer is further protected by the fact that if he or she gets frightened and departs, it is not exactly in anyone's interests to set in motion elaborate machinery for capturing the evil-doer and bringing him back to wash a lot of dirty linen in public, and possibly be acquitted after all. No doubt it would be in the interests of society at large to pursue these unsavoury blackguards, but individuals can scarcely be blamed for not doing so, considering the worry, the expense, and the probable consequences.

The ramifications of blackmail are amazing and almost endless. These filthy pests work under all kinds of disguises, often selecting a cover of some innocent and reputable business under which to operate and assist others in the same infamous pursuit. This is, of course, doubly unfortunate, seeing that people may get into trouble without even being indiscreet if they chance to stray into one of these traps ; and also

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that, on the other hand, respectable employments have slurs cast on them quite undeservedly.

But even at the risk of thinking evil where no evil is, it is a good rule under the circumstances for rich and prominent citizens and citizenesses not to go about alone or stray into beauty parlours, palmists' chambers, and other similar places, unless they have a companion or know something of the establishment. Even in fashionable restaurants and the best hotels it is well to be careful, as with a little encouragement blackmail possibilities are seized. This applies, of course, only to the rich and great, as the poor and lowly are safe enough anywhere—one of the few compensations for being humble and having small possessions.

The managements of these restaurants and hotels are not only innocent of any blame, but they could not possibly know a hundredth part of the games played on their guests, seeing that a man who has been "stung" is naturally unwilling to mention it. Blackmailers, to be at all successful, are necessarily good psychologists, and study the characters and circumstances of their prey. If a man is nervous and perhaps has a violent and jealous wife, he is an excellent target for extortion. Then there are other cases where a mere suspicion of nothing worse than indiscretion would, if made public, seriously affect a man's prestige and half wreck his position.

Here the pressman rather helps the blackmailer by being on the alert to publish interesting news—in other words, to make money out of something like scandals. Clever practitioners can judge each case, and can calculate almost to a dollar the pressure they can successfully put on. It is said, but whether accurately one does not know,

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that it is much more profitable to blackmail men than women. Men certainly have more money and stand the nervous strain better, whereas women are apt to break down under it, and baffle the torturer. When a woman is blackmailed it is generally about something in her past, and silly letters figure in the case.

Men, on the other hand, just as often suffer for indiscretions in the present, and it really is extremely surprising that, in spite of warnings and of knowing about these pitfalls, men will take risks for the sake of very poor fun—men in good positions, who are at least middle-aged, if not elderly. In England there is, perhaps, less of this sort of thing, except as regards gambling in private “hells.”

To give an example of these queer American revels, there was a place in San Francisco, known by the sheltering title of a Society School of Elocution, where for months behind the guise of a school of what they called “oral expression,” prominent business men, society leaders, motion picture stars, political characters, artists and others had been merrymaking in the deep recesses of the building, while unsuspecting police patrols had passed and repassed outside.

No doubt this was a regular haunt of blackmail, mild and severe, until the police raided the premises on information given by a victim. A police corporal, named John Alpers, took considerable risks and joined the gay debauch; if anyone had spotted him, he would have been shot, but his distinguished appearance in his Sunday best enabled him to pass unchallenged through the succession of sentries at the doors leading to the chamber of sprees. Here for nearly an hour he assisted at an evening party where liquor of



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pre-Volstead potency was flowing freely, and where he witnessed for himself the wild scenes described in the complaint.

By a daring move, Alpers succeeded in cutting the wires by which the manager could warn his clients of a police raid. This manager stood on guard over the antechamber to sift the élite (so-called) from the crowd, and two helpers, or patrol men, were also downstairs to watch over the safety of their esteemed customers who arrived in taxicabs and handsome automobiles to spend a happy evening in the school of oral expression.

At three o'clock in the morning, the appointed hour—when “everything was going great”—Alpers admitted the force, who dashed upstairs so quickly and unexpectedly that they pounced on everyone except the wily manager, who escaped—no doubt through superior presence of mind and a more intimate knowledge of convenient exits.

This police raid, which was very neat and comprehensive, possibly damped the blackmailers, at least temporarily. The authorities let the foolish revellers off very lightly with a fine of ten dollars, and did not scrutinize their real names too closely, allowing aliases to pass. It is to be hoped these moon-calves felt grateful to the police for not using them more harshly in saving them from their own follies, also that they had a lesson; but probably the incident made no lasting impression, and they went to some other resorts to be fuddled and blackmailed, which seemed to be their idea of bliss.

Not only in San Francisco; but in other places, so-called “Schools” and “Studios” have been under suspicion as backgrounds (and foregrounds

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too) for drunken revels, with questionable ladies present. Any man of position who goes to such places for his "fun" need not be surprised if he is followed up and made to pay for silence. There seemed to be considerable sameness about all these frolics, and the mystery remains, as aforesaid, why any rational beings should think it worth while to risk their positions in life, and also upset their domestic relations, for the sake of a few hours at such raw, tame and vulgar scenes. But "there's nought so queer as folks," as the old Quakeress remarked.

Sometimes the festivities are conducted by a private blackmailer, like a woman whom we will call Madame Sara, who came to Los Angeles and reaped quite a comfortable little harvest towards the end of 1922. She did things in style, and lived in a good apartment, or flat, out near Westlake Park. With a number of men assisting her, she began operations in a businesslike and systematic manner, angling shrewdly for the usual prey—married men out for amusement.

When Madame Sara caught one of these gentlemen in her toils, she did not release him until he was squeezed tolerably dry. She got money out of her dupes, also automobiles, fur coats, and other valuable property, as the price of her silence, and worked on the well-worn lines, even to the appearance on the scene of a husband at the usual crisis. "The last act of her personally conducted show," said the detective, "was always an outraged husband demanding that his honour be satisfied—with cash."

But in some way she must have miscalculated, clever as she was in luring the unwise male. Perhaps she proceeded rather too carelessly and cynically, because three of her victims actually

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had the nerve to set the police on her, stating that they met her at a restaurant or road-house, and also through friends. She seemed a very eligible acquaintance, as she posed in the interesting character of a war widow who was spending the winter in Los Angeles. Her flat was in what was known as "an exclusive apartment house"—in democratic America the word "exclusive" is naturally very attractive—and she appeared to have plenty of money, and was always well supplied with liquor.

She gave midnight parties, well soaked with prohibited "witnesses," and these entertainments generally ended in one guest at least remaining in her flat for the greater part of the night. Next day he had to pay for his fun, for she would call at his office and demand money, clothes, automobiles, jewellery, and so on, enforcing her impositions by threatening to go and see his wife. This was her method with all her victims, and apparently it succeeded, for the money was paid, and the other things she asked for with menaces were presented to her, until three of the men called on the law for help. Their names were not divulged, but the Press gave space for a description of Madame Sara. She was about thirty-two years old, had black hair and eyes, was five feet six inches in height, and was very pretty.

After the police began to handle the case they soon identified her as "the queen of a gang of blackmailers," and immediately they got on her track she fled, evidently fearing arrest. She managed to escape from her flat, although a score of detectives were on the watch for her. When they closed in to arrest her she had flown. Possibly she got away before they commenced

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their vigil, and so far as Los Angeles was concerned she vanished altogether. The authorities thought she had gone to some Eastern city, where probably she was continuing her baleful activities. It would have cost more than it was worth to trace her, as she would have skipped about from State to State until the authorities were tired out.

This sort of blackmail had a slight foundation to work on, in the imprudence of the victims, who rather let themselves in while chasing rainbows, as it were. But in some other cases innocent persons were compromised, which was much more serious. After all, if people do foolish and semi-vicious things, they ask for trouble ; but when anyone behaves properly and then is blackmailed, he (or she) merits a great deal more sympathy.

One of these baseless attacks came to light when a prominent official in a Western city was accused of grossly immoral conduct by a woman employed in his department. This woman was over forty years of age, and not markedly attractive in any way ; and when her health failed and she went into a hospital to undergo some internal operation, she took the opportunity to make allegations against her chief, saying it was an illegal operation, that he had caused her condition, and insisted on the operation.

The whole story was wildly incredible on the face of it, and at best was a hysterical delusion, though it might also have been a malicious invention. It ought to have been dismissed at once with the contempt it deserved ; but because the official had enemies, the accusation was " held over," and a considerable amount of worry inflicted on him before it collapsed from sheer

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innate absurdity. It was said in one account that he had got rid of the woman for inefficiency, and in revenge she made these allegations against him. The other version was that she tried blackmailing him, and was superseded for doing so—when she gave the story to his enemies, who proceeded to go for him. Although her statements were entirely false and might have ruined the official, she was not punished in any way.

About this time one of the Los Angeles papers published a semi-humorous warning in the American style, but with a serious meaning underlying it, against what might be called minor blackmail.

It was breezily entitled, "Swatting the Good Samaritan."

The article began: "Beware the role of the Good Samaritan. Are we to think twice before going into the benefactor business? At the present time, apparently, clubs, not hearts, are trumps. Here are a few instances picked at random out of hundreds of similar cases.

"Not long ago a fair young thing engaged herself to a solid citizen. Besides the usual jewellery, he bought her a high-priced touring car. She benefited considerably by the engagement. After a year she wanted it broken off. He, unaccommodating, refused. Whereupon she sued him in heavy damages for the strain it had been on her vitality to entertain him during a long courtship in which, according to her story, he failed to make good.

"A bright but unknown star, seeking publicity, won the sympathy of a certain organization. It had quite a pull. It boosted her to the best of its ability, and placed her at the head of a beauty contest list. But it failed to land her a

good job. So now she is suing her would-be benefactors for supplying her with an inferior brand of publicity.

"Numerous rich, elderly men have regretted too sudden acts of kindness to impecunious protégées. One perfectly respectable business man took a tired stenographer for an auto trip to Long Beach. Somewhere near Signal Hill (this was before the oil development) she tore her clothes and threw herself out of the machine on the stony highway. Then she brought an action for assault against the respectable business man and demanded enormous damages.

"Apparently it is the cult just now—the proper caper—to swat the benefactor. Two causes for complaint seem to be perfectly valid. You have but to prove that he ceased benefacting too early in the game, or that he did not benefit sufficiently, and a sympathetic court will see that you are properly reimbursed for your unmerited suffering.

"There was a case—though it was settled out of court—of an unhappy suppliant who spent an hour a day for a whole week trying to persuade a hard employer to give her a job in his office. When she found her efforts unavailing she sought a lawyer. And he prepared a brief against that man of granite for the mental anguish he caused his fair client and for the time she lost in having to visit him so often."

This form of blackmail is, as remarked before, more deadly than the threat of disclosing some indiscretion, and it crops up in various ways. There was a case of a man in a motor car who saw a woman fall in the street. Having a kind heart, he stopped, got out to help her up, and when he found she had bruised herself and was

shaken by her fall, he compassionately gave her a lift to her home. His reward was an accusation that he had knocked her down, for which injury eight thousand dollars damages were claimed. If anyone had knocked her down, as he commented bitterly, that person would have had the presence of mind to drive off as fast as possible, and trust to speed for his escape.

No doubt many persons are ruined by blackmail, and a number even driven to suicide, but occasionally the blackmailer perishes. He goads his victim too hard, and the worm turns—sometimes with a revolver! One case not very long ago ended in murder that may have been justifiable homicide. This was when an ex-marine named Peters was shot dead in May, 1922, by Walter Ward, a member of a multi-millionaire family. At first when Ward confessed to the slaying, he pleaded that he acted in self-defence. But the police sifted the evidence and came to the conclusion that Ward's statement was not true—that he had not fired in self-defence, but had murdered Peters deliberately and with premeditation.

Then came the question of motive, and over this there was a sensational disclosure involving the whole Ward family. It appeared that there had been a blackmail plot, of which Walter Ward was the victim and Peters the agent, and that this campaign had gone on for six weeks before Peters was killed. A very lamentable state of things was revealed all round, as it was alleged there had been a racing scandal in which every member of the Ward family was implicated. Under pressure, Ralph Ward, one of the brothers, made a sort of garbled confession that they had been caught the year before in a race gambling

scheme which, if known publicly, would have discredited them in the eyes of the sporting world and also the community at large.

A gang of blackmailers to which Peters belonged somehow managed to detect this gambling swindle, and Peters evidently was chosen to squeeze the Wards over it. This led to his death, which caused a crisis rather than improved matters, seeing that the family now had to face a risk of two discoveries—namely, Walter Ward's violent act, in addition to a vast number of unpaid race gambling debts.

At this point in their complications, Walter elected to confess the slaying, colouring it to look like the admissible act of an honourable man driven to desperation by a crew of vile society pests. If his statement had not been challenged, he would have been more than exonerated—admired for relieving the world of a degraded wretch and acting in self-defence. But other matters were mixed up in the story, and it was shown that Walter Ward had set out, with the help of his father and brother, to clean up the mess of blackmail and gambling debts. He was known to have made out a cheque in five figures to one creditor, a sum that was said by one informant to be twenty-five thousand dollars, and by another to be forty thousand. And this was only one in a whole book of cheques with which the Wards paid off many outstanding racing debts in a few weeks. Each cheque bought the silence of the receiver, and it became a mere matter—said the report—"of possessing a purse still deeper than a deep disgrace."

It seemed a curiously involved story, and was evidently a case of blackmail over very discreditable dealings; for the Ward's, beyond



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question, were implicated in dishonourable transactions, and the death of Peters was rather unexplained. Walter Ward may have wanted to silence him, or have shot him in a rage, out of revenge. It was a useless crime, and had certainly not been committed in self-defence, for the available evidence seemed to suggest that Peters had been ambushed and taken unawares.

Walter Ward was arrested, and the case went on for a long time, see-sawing to this side and that. He was released more than once and taken again, as the revelations inclined the authorities to one view or the other. What complicated matters was the feeling in some quarters that Ward was being leniently dealt with on account of his own and his family's wealth, and on this suspicion pressure was put on the Court to handle him firmly.

One could not trace the final result, but after arrests, releases, re-arrests, remands and much fuss, the probability was that the accused got off in some way with a light sentence and early freedom on parole. He might be more to blame as a rich man, but in the end public feeling could scarcely sympathize with a professional blackmailer like Peters, the member of a notorious gang that preyed on society. He was assuredly worse than a delinquent millionaire, and the shot that ended his nefarious career no doubt protected a good many people besides avenging the mental torture he had inflicted on the Wards.

In theory, homicide can seldom be justified, but surely, next to committing it in self-defence, comes the case of riddling the world of that cowardly and pestilent criminal—a blackmailer!

AN ARIZONA SOCIETY CRIME



## AN ARIZONA SOCIETY CRIME

THE conditions in America are favourable to adventurers, both good and bad. The distances between centres and cities are very great, and there is not much inter-State cohesion, especially between the older established Eastern, Southern and Middle States on the one hand, and the newer settlements in the West on the other.

This separation gives scope to the wanderings of doubtful characters when they want new fields for their activities. And a certain dulness in the outlying States inclines people to welcome strangers who promise to be amusing or stimulating socially. This has its admirable side, leading to the entertainment of angels unawares, but now and then the hospitable instincts of the West are exploited by undesirables, and trouble follows.

A recent case in Phoenix, Arizona, illustrates these remarks, and seems worth looking into as another phase of the problem of American crime.

Arizona, lying below and beside California, is a prosperous place which seems to raise many millionaires of the "new rich" type. These persons, and especially their wives, cultivate a curious sort of social life, with everything that money can buy—where, in some ways, money unluckily does not find very much to purchase.

Under these conditions, it is not difficult for a plausible adventurer, even if a very ordinary

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sort of man, to make an impression socially, and one Mr. Guy Dernier, from Chicago, soon caught on at Phoenix. He was an income tax expert, and a former Government employee. He also claimed to be president and one-fifth owner of a gold mine, which might be less opulent than it sounds, seeing that some gold mines are worth exactly about nothing.

He seemed to be having a very happy time socially, and to be extremely popular and familiar with the best people in Phoenix, when the town was startled to hear he had been found dead under circumstances that pointed to murder. His body was discovered floating in an irrigation ditch, more elegantly known as the Arizona Canal, on the outskirts of Phoenix, about two o'clock in the afternoon of September 12th, 1922.

Details of the supposed murder were sent to the sheriff at Los Angeles, because Dernier had recently returned from there. "They indicate," said the reporter, "that he was on a petty coat (*sic*) hunt when he met his death."

The official report, in the deputy sheriff's own words, read as follows :

"The body was found in the waters of the Arizona Canal on the outskirts of Phoenix. The autopsy showed that he had been strangled to death, having been grabbed from behind. He was clad only in his underwear. His car was found about two miles from where the body was first seen floating down the canal. The body had evidently been shoved into the canal about three hundred yards from where it was found, and it was still warm. He had left his most intimate friend, Harry Tyrle, at the club at 12.50 p.m., refused to lunch with him, calling some woman on the telephone, made a date, and told Tyrle he

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would go out and see 'a little widow,' and would be back in one hour. This was the last seen of him until an hour and twenty minutes later, when his body was found as above described."

The report also disclosed what the journalist called a new chapter of Dernier's past. "It also developed during the investigation that the deceased had embezzled considerable sums from the Government on the income tax list refunds, as he was employed in the United States Internal Revenue Office at Phoenix. In fact, we recovered a list of two thousand names that he had stolen from that office. These he had left for safe-keeping with his chum." (Not the aforesaid Harry Tyrle.)

"It also developed," continued the report, "that he was suffering from a very contagious disease while associating with various married women. All these women were living with their husbands, with the exception of one.

"The result of the investigation was very satisfactory to Deputy Bell, and he says he has placed this crime up to one or two men now in Phoenix."

This report was naturally a sort of bombshell exploding in Phoenix, especially after Dernier's diary was found in three volumes, full of spicy details—with names attached—of amorous adventures. According to these revelations, "the corroborations of the married women in whose affections he appeared to have specialized," the reporter summed it up that "the Phoenix man was a *roué* of rare accomplishments."

It was said that Deputy Bell received many hints from both wives and husbands that "it would be worth his while" to destroy certain passages in the diary and the photographs of

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supposedly modest matrons "who were exposed to their husbands' eyes by the lens of another man's camera."

But the Arizona Deputy Sheriff kept a good grip on the evidence and took it back with him to Los Angeles. The investigation showed that Dernier had been paying attention to women in San Diego, Santa Barbara, and other Californian cities; also all over Arizona, as well as in Phoenix.

In addition to the incriminating diary, he left three books filled with the names and addresses of women, and notes of the hours when they might be reached. There were certain symbols attached to these names that were unintelligible to the investigators; and they found twenty-two photographs of women, "several unpublishable even in art journals." This remark seems suggestive, considering the kind of pictures that are published in some so-called "art journals," and it is amazing to think that married women of good position would allow a man like Dernier to take indecent photographs of them.

In spite of all this evidence, someone tried to start a theory that Dernier had been strangled by a bootlegger whom he had defrauded of thirteen hundred dollars, but the police stuck to their idea that some outraged husband had done the deed.

On their side the journalists went gallantly on with their reports, and unearthed the interesting psychological fact that "most of the activities that led to his end, or at least the present scandal, dated from the selection of Dernier as secretary of the Phoenix County Club. Until then he is said not to have been supposedly a man of vicious habits. But in his association with society people of the Arizona city he was confronted on one hand

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by bootleggers who offered him liquor to supply the club members, and on the other by the young wives of other men, whose husbands were busy in the office, and who considered the new secretary a charming and handsome fellow. This seems to have turned Dernier's head, and he fell into the course of life that ended, apparently, in his corpse floating in the muddy waters of the ditch."

That was the view in Phoenix; and meanwhile the news of the murder had reached Dernier's native city, where the Chicago newsmen were quite equal to developing the situation. The police also were on the alert to trace Dernier's divorced wife, thinking she might know something of the affairs that had led to his death. They found that he had been employed in the great commercial house of Montgomery, Ward & Company, and men who knew him during the six years he was with that firm were not exactly surprised he had got into trouble over women.

On the other hand, his brother, Roy Dernier, tried to see the best side of him, and said he might have "played at clandestine love," but scouted the idea that he could have kept a diary and named therein many society women of Los Angeles and Phoenix, or obtained money from them.

His brother believed the diary was a fake, and thought politics might have played a part in Guy's death, or jealousy. But he insisted that Guy was not more "gay" than a society man ought to be, and pronounced him incapable of blackmailing women.

The investigations went on in Arizona, though unmistakable pressure was exerted against the authorities. A good deal of information was collected, all tending to confirm the theory of



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the police as to the motive of the crime. Meanwhile what in England would be called the "smart set"—or, as the reporters dubbed them, the "silk stocking set," were much worried, and not without cause, thanks to the dead man's compromising diary and the books of annotated addresses.

This was why, after the first shock which stunned Phoenix society, the police began to encounter organized resistance to their efforts to discover the murderer. They ignored this pressure in the beginning, and even announced that the solution of the crime—the murder of Guy Dernier, "man of a hundred sweethearts"—was promised regardless of the prominence of the slayer or "of the upheaval in Arizona's millionaire colony which would inevitably follow an arrest." They also let it be known that Deputy Bell had returned from Los Angeles with "a wealth of evidence," and the sheriff's investigators had completed a trip of seven hundred miles, during which they found clues to Dernier's other escapades and valuable evidence that could not be revealed then.

The more active the police, the more agitated became the "silk stocking set," where Dernier had travelled such a reckless race. And these people of the millionaire colony were able to keep the case from being solved, and this influence alone checked the police in the execution of their duty. Certain persons prominent in Phoenix suggested that the investigation had better be quietly dropped, but the police, to their credit, tried to hold on. The Sheriff said they wanted to settle the case regardless of where the blow might fall, and the County Attorney stated there were three "suspects" under observation, and an

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arrest would undoubtedly be made within ten days.

The Sheriff, though equally determined to persevere, was less optimistic as to results. As he remarked, very few relevant facts had been established in the case. Dernier's activities had led them into many places, and many rumours had consumed much of their time, but all that had come of it—when brought to the test of evidence to be presented in court—was that Dernier had told somebody that somebody would kill him if he again visited somebody's wife. The right people would not talk, being afraid of losing their own reputations.

The police had managed to find out all Dernier's movements shortly before his death, except what happened in the hour and fifty minutes from the moment he was last seen alive to the discovery of his body in the canal. They constructed interesting theories as to what he did in this interval and what befell him, but theories are vain until evidence comes to support and confirm them.

The favourite theory was that he had gone to see a woman, whose husband was not in the habit of returning to luncheon. But this day the husband unexpectedly appeared and found Dernier undressed except for a kind of combination garment, called a Sports suit. He must have grappled with Dernier and strangled him, as two deep bruises on the dead man's throat indicated. He then took the body in his automobile and ran out eight miles to the canal, where he threw it in. After this he retrieved Dernier's car, which he drove to a point three miles from the spot where the body had been disposed of. Here the car was found, with Dernier's clothes folded and arranged neatly on the seat, and his shoes placed

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carefully on the bank of the ditch. All this was evidently done to cause people to believe that Dernier had gone swimming and had been drowned by accident. The murderer had lost sight of the fact that he had left two large strangle-marks on the dead man's throat.

Besides this, there were inferences to be drawn from where Dernier's body was found—about a mile below the spot where it had evidently been thrown in.

As the current is very sluggish, the corpse could not have drifted a distance of more than four miles in less than two hours, and there were boys in swimming who would have seen it floating if it had passed down. In short, all the indications were that the body had been found a very few minutes after entering the water, and the strange thing was that no one had seen the whole affair. But for one thing, it was the hour of the midday meal, and also there was an election going on which had drawn everyone into town.

No clues could be found to this daring murder and disposal of the victim in broad daylight; but a long brown hair, tinted with henna, was discovered clinging to one of Dernier's socks when his body was taken from the canal. This hair seemed to the Sheriff an important clue, and he locked it in his safe.

By this time the police had three men under suspicion. "These three leads have directed us to the doorsteps of three exceedingly important men," said the County Attorney. "They are the men who can clear up this case—the most outrageous and flagrant crime I have ever come in contact with in my twenty-five years as a lawyer. If we are successful in our investigations, the death

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of Dernier will involve more than one prominent man in the community."

His spirits fluctuated, but on the whole he hoped for the best, and said the work of investigation had been successful, but first they must reduce the number of suspects to one, and the trouble was that half a dozen persons who knew the truth had refused to "cough up," as he called it.

"Please remember," he told the reporter, "that we are dealing with some of the most prominent people in this territory, but within ten days one murder suspect will be behind the bars."

Answering the question whether efforts had been made to hush up the investigation, he said that all the authorities were working on the case in close accord, but there undeniably were people, whose names he dared not mention, who thought the police ought to forget the case, as certain revelations would break up many families.

"I told them," he continued, "that nothing would deter me from having the murderer arrested, no matter who he was—that crime was crime."

Then the less hopeful Sheriff talked again :

"There are perhaps twenty men who would have had a motive for killing Guy Dernier," he said. "He lived a dual life. His familiars were to be found in all strata of society from the top to the dregs. To say that this man or that man, especially at this time, is the man who killed Dernier would be foolish. As far as narrowing down our suspicions is concerned, it amounts to just this—Dernier might have been killed by a jealous husband, or he might have died at the hands of some woman's paramour."

The city detective and the County Attorney's

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special investigator confirmed the sheriff's statements. The investigator had just returned from hunting down a rumour, and said it was "the same old thing—a promising clue, and then the blind wall."

But all the officials denied the charge that "the probe of Dernier's death was being squelched."

"You may say for me," remarked the Sheriff, "that I shall continue my investigations, and when I have anything of real importance to announce I shall announce it."

At this stage in the affair enterprising journalists as far apart as Chicago in the Middle West, and Spokane, Washington, had secured interviews with the former Mrs. Dernier, and also with Dernier's twin sister. Without any collusion, these women—one in Chicago and the second in Spokane—defended him and said he was not given to philandering. This fitted in with the evidence at Phoenix—that he had "gone straight" until he got into the "silk stocking set," when various temptations of bootleggers and fast young married women turned his head and wrecked his character.

Mrs. Dernier explained why they were divorced. There was no other woman in the case, but a question of climate brought it about.

"I could not stand the climate in the West, and because of his tuberculosis he could not live here. Rather than sacrifice either of our lives, we decided to separate. He was the best of husbands, and I cannot recall an unpleasant incident in our life."

This statement seems to stamp Mrs. Dernier as a coolly selfish woman, with no regard for her marriage vow. Anyone who could stand the severe conditions of Chicago—the fierce summer heat and winter arctic cold there—would not be

likely to succumb in the much better climate of Arizona ; but Mrs. Dernier resembled numbers of her countrywomen who refuse to leave places they like, and if their husbands have to go farther afield, a divorce follows on the plea of desertion ! These women have lost the grand American spirit of the pioneer wives and mothers who dared so greatly, suffered so deeply, and won so much for their country and their descendants.

Chicago and Spokane threw no light on the case, but the sheriff persevered, and his faithful chorus of pressmen naturally did not desert him so long as a line of "copy" could be hoped for. In a day or two it was reported that suspicion now centred on one person, a business man of Phoenix whose name was frequently heard in whispers in the streets. All the other "suspects" had furnished—informally, of course, in the engaging American way—what the sheriff considered to be satisfactory alibis, so they were eliminated.

But this man had not come forward with an alibi, and refused to make any statement to the authorities. Also he was the first "suspect" to hire a lawyer, and he was the only one questioned who expressed regret when told that Dernier had been murdered. Why this last fact should prejudice the police against him is hard to explain, but it counted, as all the other "suspects" were heard making "slurring remarks" about the dead man.

These were trivial incidents, and not in themselves incriminating, but they helped in the accumulation of evidence against this man. He had a strong motive, it was learned, and he was absent from his usual haunts at the exact time of the murder. It was known that he had been associated with Dernier, who had climbed

into what the paper called "the exclusive society circles of Phoenix, where the State's aristocracy convenes in the winter months." He made large sums as an income tax expert, obtaining for the millionaires refunds on excess tax payments. But he spent most of his money entertaining his society friends, and gave costly dinners to the wives of many prominent residents. He was "a good mixer," and a general host at the city's most fashionable parties.

His private entertainments seem to have been rather lurid, according to a description of one evening. "After the feast, Dernier chose to remain at the house while his guests went for a midnight auto ride. Dernier, it is said, had drunk heavily that night. He was a lover of tequila. When the guests returned he was asleep. Empty liquor bottles were strewn around. The maid was found asleep in the hallway, her hair dishevelled and minus her clothing. At other parties, it was learned, the revellers had danced in their underclothing."

It is curious to note that just then Dernier was at the height of his success as a social climber. "He had presided at a popular golf tournament, and had presented the cup to the winner. He had met the Governor (of the State), and had had his photograph taken with the State's executive."

About this time, apparently, he had rather entangled himself with one of the many married women he knew intimately; and friends of this woman warned her, but she waved the warning aside. Her husband reproached her, and she left him. Then Dernier was warned to leave the town at once, and he hurriedly departed for Los Angeles. The police unearthed a good many

details of his life in the Californian city, where he was quite as lively as in Phoenix.

"He continued to associate with married women from Phoenix who had gone to Los Angeles for the summer, leaving their husbands at home." His amorous exploits went on from May to September, and then he went back to Phoenix with some friends in a motor car.

They arrived late on Monday, September 11th, and on the following morning Dernier called up on the telephone many of his women friends. The woman on whose account his life had been threatened was not in town, but was coming back from a visit to the East, and was due to arrive a week or ten days after Dernier.

These further investigations resulted in modifying the theories of the police, though not shaking their conviction that this irate husband had strangled Dernier. The new theory was that he had been shadowed on his return from Los Angeles; that he had made an appointment with another woman, not the "suspect's" wife, and that this other woman had witnessed the murder and kept quiet to save her reputation. It was also possible she had been a party to the plot to kill him.

This was all rather far-fetched and unlikely, so a second theory was constructed, which seemed more tenable—namely, that the murderer decoyed Dernier by telephone to some secluded spot, choked him, and then undressed him, threw him in the canal, and so arranged the clothing as to suggest an accident while bathing.

With the end in sight, the authorities suddenly gave up hope of the case—partly, it would seem, on account of a curious popular view of the crime. The County Attorney admitted that the murder



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would remain a "closed book." The "suspect's" friends were very numerous, and although they knew the facts, it was impossible to get anything out of them.

"The situation presents itself as one of the most unusual in modern crime. A man has been named as Dernier's strangler, his past connection with the case and with the dead man have brought his name to scores of lips, and yet he is apparently immune from arrest," said the County Attorney. "He is regarded here as a benefactor to the city. He is extolled with phrases of praise. No doubt a score of persons rejoiced at the news Dernier had been murdered. If the man under suspicion now—assuming that he did commit the crime—had not slain Dernier, somebody else would have committed the crime."

Another official expressed the opinion that even if Dernier's murderer was brought to trial, it was doubtful if any Arizona jury would convict him. If the accused man on trial said to the jury, "Would you kill a snake if you found it in your home?" that would exonerate him.

There was a certain grim humour in the position of the legal protectors of society on finding themselves opposed by what they called "a mountain of sentiment in sympathy with the slayer," and they admitted that the job of pushing their investigation to the stage of an arrest was too big to struggle with. No one would give any evidence against the popular hero who had rid the town of a pest. All those who were questioned "didn't know" or "couldn't remember" anything about his movements at the hour of the murder. One man went further and boldly answered that he did not care to say anything to incriminate Mr. Blank.

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The law still tried to get round the case in some other way, and followed up various clues that might help, such as the long brown henna-ed hair found on Dernier's sock. The Sheriff took this to Los Angeles for examination by an expert under the microscope, but nothing came of it. The Deputy Sheriff followed another trail of a man on whom some suspicion rested, and there was also to be considered the mysterious feminine mourner who attended Dernier's funeral. She and his cousin were the only women there, and altogether the cortege was very sparse indeed. She was heavily veiled and dressed in deep black, was tall and slender, "with the carriage of a young and cultured person."

Whether she had any connection with the dead man or was just enjoying a dramatic sensation seemed a question, for no one saw her enter the chapel, and she first attracted attention by her almost hysterical weeping behind her veil. Through some oversight she was not followed, even by a reporter, when she left the chapel, and her identity was not discovered, though the authorities affected to believe she knew more of the crime than anyone else except the actual assassin, and that she had been a witness of the slaying. She was even believed to be the wife or daughter of some prominent resident, and that her intimacy with Dernier led to his death in her presence.

According to the authorities, she was a member of the "silk stocking set," who had resolutely maintained a sphinx-like silence throughout the investigation. They talked amongst themselves, but when interviewed and questioned their answer was—nothing! The Sheriff collected a few vague details about the veiled woman (who was, of course,

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a great joy to the journalists and their readers), and ascertained that her name was Thelma, that she was a "striking beauty" and had been a familiar figure round the big hotels of Los Angeles. He did not say whether she had long dark tresses, henna-ed, like the hair found sticking to Dernier's sock.

About a month after the murder the investigation collapsed. It was known that the suspected man had left the city, and was not coming back until the newspaper men had departed. There were rumours that he had made a confession, but the authorities denied all knowledge of this. It was also reported that he had confided in a delegation of sympathetic friends. The police doubted this, and nothing beyond a rumour reached the disappointed pressmen, who sorrowfully conceded that "the Dernier case had taken a back seat, and the topic under discussion in Phoenix was not the fate of Guy Dernier."

In many ways this crime is remarkably interesting for the light it incidentally sheds on social life in the remoter States of America to-day. It shows, for one thing, the difficulties under which a new society—with practically nothing but money—labours when trying to consolidate into sets and maintain any sort of standard.

It is amazing that, with all their affectation of being "exclusive," these people, and especially these women, should fall under the influence of a cheap and diseased blackguard like Dernier.

The papers compared him to Landru, whose exploits were in the public eye at the moment; but it was hardly accurate, seeing that the Frenchman murdered his numerous victims for their money, whereas the American adventurer only amused himself, and spent his money

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climbing into society—to be murdered himself in the end. He may possibly have blackmailed his conquests, but it does not seem likely. A blackmailer works in a different way, and cannot practise both as principal and informer—at least, not for long.

Another journalist compared Dernier to Haroun al Raschid, which was still wider of the mark. The character he most resembled was that of Casanova, for he had the same insatiable appetite for amorous adventures, the same ambition to climb socially, the same habits of extravagance, and the same propensity for recording the details of his conquests and general progress through life.

It is a little difficult to understand the temper of Phoenix, and why they should be so grateful to a man who may have got rid of a social pest, but at the same time managed to stir up a widespread scandal and wash an immense quantity of dirty linen very much in public.

There is also something mysterious about the action of the police authorities in making so energetic an investigation, and then dropping the case when they professed to be practically certain of the identity of the murderer.

Perhaps the whole thing is just a way they have in Arizona !



## CRIMES OF TRADES UNIONS



## CRIMES OF TRADES UNIONS

ONE thing about American law always puzzles a stranger at first—namely, that there are two authorities everywhere, State and Federal. That is to say, each State has its own laws within its borders, and in addition and above all is the central or Federal Government at the capital, Washington, D.C.

It is difficult to find out exactly where the State authority ends and the dominance of the Federal power begins ; and sometimes there seem to be cases where neither functions satisfactorily. The State law is flouted by its own citizens, and yet it will turn round and unite with those same citizens to defy the Federal Government, or at least to warn it off.

One such case of great notoriety, widely condemned by American opinion, occurred at a place called Herrin, Illinois, not very far from Chicago, in June, 1922. It grew out of a conflict between union and non-union workers at a mine there. Some ordinary trouble had brought on a strike, and a number of non-unionists were imported, a move on the part of the mine owners that ended in a tragedy.

The American working man is not so wedded to trades unions as his British comrade is, and in some parts of the United States non-union men are in the majority. The "open shop," as it is called, is maintained. But unionism prevailed



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at Herrin ; and when the strikers found that free workers were being employed in their places, they raised a riot.

Of course, the State authorities should have stopped the riot, but they did nothing of the sort ; their sympathetic attitude naturally emboldened the rioters to go to greater lengths, and very quickly there came on a life and death tussle between the unhappy non-union men and the guards or pickets at the mine, as thus described :

“ Eyewitnesses had terrible tales to tell of the murder of the non-union men. After these men were shot down, guards stood over them as they expired. If a wounded man fell face downwards, he was turned over by kicks, and someone would grind his nose and face out of all resemblance to human features with the heel of his boot.

“ After men were dead their bodies were kicked about until the neck was dislocated and they were otherwise mutilated in a manner that cannot be told. Especial attention was given to Superintendent McDowell, who was a cripple with a wooden leg. One of the rioters had split open his head with a pick, and he was staggering along the road, trying to obey orders to walk faster to the place of execution. One of his tormentors walked up and struck him a terrible blow under the ear with the butt of a pistol and ordered him to walk faster.

“ I know what is at the end of the journey,” said McDowell. “ I am making the best time I can.”

“ Well, we will end it for you right now,” said his guard, as he stepped back a pace or two and emptied his automatic pistol into McDowell’s abdomen.

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“ Later a group of miners passing that way found McDowell lying on his side as he had fallen. They turned him over on his back with their boots, and one or two of them took a cigar from McDowell’s vest pocket and jammed it into the open mouth of the dead man.”

Then came the practical question of burying the victims, about nineteen in number. (Some accounts said thirty.) The union miners had even gone the length of forbidding union grave-diggers to prepare the graves—or “ holes,” as they called them. But, as the reporter put it, “ numbers of the miners’ union and their sympathizers cooled off sufficiently to-day to permit the burial of the bodies in the Potter’s Field. Sixteen of the victims were buried. Four preachers, representing the Methodist, Presbyterian and Baptist Churches, conducted the simple services—chiefly the singing of old hymns and prayers. Only a handful of spectators ringed the little group conducting the services, with a sprinkling of curious women and girls. The union miners remained in town and chortled over their work.”

Each of the plain pine coffins was “ designated by a cheap aluminium tag, stamped ‘ At Rest,’ and at each grave there was pushed into the ground a pine board, with the words, ‘ Died June, 1922,’ painted on it. There were no names, and no reference to the manner of their death.”

All this was bad enough, but it was made worse by the conduct of the inquest, when the jury—full of sympathy for the murderers—said, among other things, in their verdict :

“ We, the jury, find from the deaths of the deceased that the deaths were due to the acts, direct and indirect, of the Southern Illinois Coal Company. We recommend that investigation be

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conducted for the purpose of fixing the blame upon the individuals responsible."

In their official organ they also laid the entire blame upon the murdered men, but they admitted that the miners invaded the non-union camp and insisted on examining every nook and corner for hidden machine guns. When the union men knew for certain that their victims had no defence, they ordered the searchlights to be discontinued, and on the order being disregarded they cut the wires and threw the place into darkness preparatory to the massacre.

They closed this account of their horrible deeds by cynically remarking: "The faces of the 'scabs' presented a terrible appearance. Hideous as the face of a crook must be, they were worse after justice had triumphed." In other words, after their features had been obliterated—some even before death—by the boots of their murderers. So justice triumphed!

When all these repulsive facts became known there was naturally a great sensation, and the Herrin miners were execrated from one end of the United States to the other. As one paper said: "It is not the purpose of the people of America to encourage the massacre of workers whose only crime is their refusal to pay tribute to a union. Thirty or forty unarmed workers were hunted and shot down like dogs at the hands of a huge mob equipped with arms and ammunition. That is a tragedy to be answered for. It is not to be brushed lightly aside by the complaisant statement that the local authorities have the situation 'well in hand.'"

From another quarter came an almost stronger denunciation: "If one American citizen should be murdered in cold blood and under revolting

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circumstances in Mexico, the whole nation would be swept with indignation, and the United States would send the whole standing army down there, if necessary, to see that the murderer was punished. But it is different if revolting murders by the wholesale are committed in one of our own fair States, it seems. Officials having to do with as barbarous a massacre as ever stained the annals of any nation on earth advised against sending troops to Herrin, both before the murdering started and after it had ended. The county sheriff was against it, the Adjutant-General was against it, and the State mine inspector strongly advised against it, declaring that it might mean serious trouble.

“What does he mean by serious trouble? What does he think serious trouble is? Is he afraid the five thousand or so who took the non-union mine workers prisoner, and then divided them in small groups for convenient slaughtering, might also get wrought up and kill a whole regiment of militia?”

“The apparent outrageous slowness of the authorities to act in this case is a mystery to American citizens generally, and will continue to be so. Does the fact that a community is 100 per cent. union mean that the age-old and God-given decree, ‘Thou shalt not kill,’ can be flouted with impunity?”

“There has never been anything worse in America than the Herrin massacre. Even the terrible World War records no incident more revolting than the act of taking men prisoners and then mutilating, beating and mangling them before finally ending their lives.”

If anything could increase the horror of the Herrin atrocities, it is the account of the “wild

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women " in them, as given by eyewitnesses.

" Measured by the testimony of neutral observers (*i.e.*, neither union nor non-union), women were even more lawless and brutal than the men in the mad mob at the mines at Herrin. An instance to the point is told by an official correspondent of the Associated Press who was early on the scene. At the demands of women, the bodies of a number of workmen who had been beaten and shot were fastened by ropes to motor cars and then dragged over the roads. All were not dead at the time. In one group of five thus treated, a worker who had had one shoulder blown off with a shot gun and an eye knocked out with the butt of a revolver, begged most pitifully for a cup of water. The newspaper men would have done this much for the sufferer, in defiance of the male members of the mob; but a young woman who still carried a child sprang forward and set her heel in the face of the dying man, declaring with an oath that she would see him in hell before any help should come to him. There were other incidents of kindred character, or too horrible to relate, demonstrating that when the gentle sex lays aside its gentleness it becomes a playmate to the jackal. There is no pity, and mercy is a wasted memory. In all the brutal passages of history, over which civilization has shuddered and wept, there are few more revolting and inexplicable than the annals of this mob."

In addition to this natural horror of these cruelties, people began to see how ominous the outbreak was, and that above and beyond the immediate necessity for punishing the guilty, the ultimate task, as one writer pointed out, was " to discover just what weakness in our laws or

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our system of government made such a *débâcle* possible."

It may be advanced at once that there is no weakness in American laws, or in their system of government. Both are adequate and even excellent, and the causes of these ugly outrages lie in other directions. The problem is not how to change their laws and system of government, but how to observe the former strictly and work the latter honestly. The authorities at Herrin did not attempt to do this, either before, during or after the massacre.

"To all intents and purposes, Herrin, Williamson County, Illinois, has seceded from the United States. The Constitution does not operate in that town. It has declared itself for 'self-determination.' It has repudiated the laws of justice and freedom, and set up a new and independent government of its own, officered by and for trade unionists.

"If any non-unionists exercise their rights under the American Constitution to work and reside in Herrin, Herrin regards it as a foreign invasion and its non-union co-Americans as 'the enemy.' It reserves to itself the right to repel this 'invasion' by force of arms, bloodshed and death.

"Hence we have the remarkably insolent verdict of Herrin's trade unionist coroner over the dead bodies of the massacred non-unionists, which essays to justify the union miners for the slaughter, and to place the blame for any regrettable murders which may have taken place upon the heads of the mine owners and the non-union Americans who dared to invade their citadel.

"Reports show that Herrin is very effectively 'unionized'—that sheriffs, mayors, county commissioners, and even the State Senator, all owe

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their first allegiance to the union card. Herrin therefore reserves the right to do as it likes, irrespective of State or Federal laws and interests. Without a special request from the city or State itself, there can be no Federal interference excepting only to protect nation-wide interests. The Governor of Illinois has conceded that he cannot send State troops to protect non-union Americans in Herrin unless the authorities in Herrin so desire. Even the Federal Government must hesitate to interfere, while Herrin proclaims itself satisfied—nay, triumphantly content—with conditions as they are.”

Now comes an important statement, in view of many happenings in other parts of the world, as far away as Russia, and not forgetting Britain.

“The thing is part and parcel of an amazing disintegrating factor which is rising up in our midst, as evidenced by such organizations as the Ku Klux Klan, which formulate covenants and loyalties which create a government within a government.

“When the laws of this land, designed for the protection of and dispensation of justice to all its peoples, do not happen to suit such organizations as the United Mine Workers, or conform to the tenets of the particular coterie involved, they are contemptuously set aside, and any base and bloody means to gain the selfish ends of the organization are resorted to. And when whole communities come within the jurisdiction of these traitorous organizations, as is witnessed in Herrin to-day (June, 1922), they are protected in their defiance by the Constitution that they defy and hold in such contempt.”

Herrin's mayor was reported to say that

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"outsiders do not understand Herrin or its people."

"This may be conceded," was one comment. "All outsiders understand at present is that Herrin has set the trade union card above the law, and that under those tenets which it has so completely accepted it holds itself righteous in brutally massacring all within its borders not concurring wholly with them."

"But if and when outsiders do understand Herrin and its people, what then? Shall we then condone massacre and brutality as righteousness? Shall we then justify wholesale murder as legitimate argument? Shall we scrap the Constitution and substitute the Herrin way?"

"How exactly is the nation going to deal with Herrin? Or will the trifling incident be 'allowed to die,' as Herrin's mayor predicts?"

So far as could be discovered, the Mayor of Herrin was accurate in his forecast of events, and in the end nothing much was done, nor were the murderers ever punished. All thoughtful Americans recognized what a serious state of things this showed, but the difficulty appeared to be to discover some way of dealing with it. As the above writer pointed out, these evildoers were actually protected by the Constitution they defied. This put the authorities in the awkward position of either letting Herrin continue its murderous game, or violating the American Constitution in order to deal with another form of violation of it!

Not exactly associated with Herrin, but proceeding on similar lines and no doubt animated by the same ideals, were criminal outbreaks in Chicago. These started rather earlier, and the terrorism went on for some time before it attracted the attention of the nation at large. By degrees,



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however, other States and cities began to comment on the disorders with considerable emphasis.

This trouble differed from ordinary lawlessness, and was more ominous in that it seemed to be organized terrorism, with a strong suspicion that the controlling power was not in Chicago, nor yet in the United States, but that the movement was operated from abroad. An American writer gave the following account of it :

“ Chicago has apparently become the centre of Red activities in this country ; and the proponents of a revolution of violence are working through their accustomed medium, the labour unions. Control of a number of union-labour organizations in that city has been gained by a radical element who plunder and slay and who seem to be immune from conviction by reasons of the corruption of some of the courts, and the evident favour shown them by the Thompson administration.

“ Using the Hearst newspapers as their mouth-piece, they advise the terrorists to stand together and secure their alleged rights, when necessary, by a resort to force. During the last two weeks twenty-three union-labour leaders were on trial in the Chicago courts on charges including first degree murder, extortion, conspiracy, bombing and criminal assault. While the evidence in each case was regarded by the State as amply sufficient to convict, the juries either acquitted them or disagreed.

“ Thomas J. Walsh, charged with murder in cold blood of Adolph Georg and George Gast, was tried before a jury composed largely of members of labour unions. The shooting took place in a public resort. Half a dozen eyewitnesses said the crime was premeditated, that the assault

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was unprovoked. Yet a jury of fellow-union men declared the defendant to be 'not guilty.'

"After the trial one of the jurors made a public statement, in which he said he refused to convict Walsh because the employing contractors were guilty of as serious crimes as Walsh and they were not brought to trial. Walsh is a high official of the sheet metal trades union."

Chief Justice Scanlan ordered an investigation of the charges that notoriously guilty union-labour leaders escaped conviction by wholesale corruption, and the terrorists openly boasted in return that his body would be filled as full of holes as a sieve if he attempted to walk on the streets of Chicago. Similar threats were made against the State attorney, and neither can appear in public unattended, while their residences have to be guarded.

In these somewhat desperate circumstances, and faced by this condition of lawlessness and corruption, a strong movement was started in Chicago to break the power of the labour unions and to loosen their "hold on the throat of justice." Commenting on the situation, a leading paper, the *Chicago Tribune*, said editorially :

"The movement to break unionism completely is gaining most of its headway in the lawless management of some of the unions, organized by criminals and controlled by sluggers, gunmen and murderers. Unionism once fought convict labour. It is now going on the rocks because of convict control. Fred Madder, president of the Building Trades Council, told a committee of the City Council that he feared an outbreak of violence if an adjustment was not reached soon in the building trades.

"That was not a warning. It was a threat.

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If gun-ruled unionism thinks that Chicago is entirely gun-shy and afraid, it is mistaken. Groups of gunmen cannot run Chicago continually. Even with powerful political connections it cannot be done."

The law-abiding citizens of Chicago were driven to notice that these union-labour leaders were in some cases men with bad records in Europe, who had come to America for the express purpose of fomenting a Communists' revolution, and were working through the trades unions.

These were the happenings during the spring of 1922, and not long before the Herrin atrocities two policemen in Chicago were shot to death, another was wounded, and a garage bombed.

The first unlucky policeman was shot and killed outside a glazier's establishment in a fight with the bombers at midnight. The assassins ran off, and presently met some more police, on whom they fired, killing one and wounding another. Several attacks had been made on this glazier's place, and some days before a bomb had been thrown at the buildings, demolishing part of a wall and doing some damage inside. The watchman narrowly escaped with his life, and after that the premises were under police protection, which incidentally led to the deaths of these two officers, a patrolman and a lieutenant. The bombers escaped.

Public indignation was universally and strongly excited by these repeated crimes, especially after the Herrin atrocities—not far away—had, as it were, focussed attention on the matter. Condemnatory articles appeared in numerous papers, and the *Los Angeles Times* in particular returned to the charge again and again. This powerful newspaper had fought for many years against the

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iniquities of the labour union domination in industry and politics, and had suffered heavily for its good citizenship, having had its fine offices at Los Angeles bombed and over twenty workmen killed. Far from this daunting the paper and changing its tone, the outrage rather stiffened and intensified its resistance to mob rule.

“ This paper has never taken a stand against the right of workingmen to organize ”—quoting from a leading article in July, 1922—“ but it has protested with its whole strength against the assumption by various unions of the right to say that none shall work except union men ; it has protested against the establishment of a union government within our government. The Press of this country left *The Times* to fight this battle almost alone ; the newspapers throughout the country either ignored the peril that was building or defended the unions in their course. It was obvious that sooner or later this growing evil would burst into a horror that would stagger the civilized world. And at Herrin, Illinois, it has happened. But even these horrors were not the measure of the blot that Herrin has placed on the Flag. The real peril lies in the fact that the law of the land is forbidden by the people of Herrin to right the wrong.”

The writer goes on to say that the Press of the nation had at last been jarred by these repeated malefactions into some realization of the course the country was sailing. In the last resort, not even trades unionism was to blame, but the sinister purpose—wholly un-American—which had seized on these organizations in order to work for the Kingdom of Darkness. On the surface, the United States, with their prosperity and the bulwark of their well-balanced Constitution, seem

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poor soil for the development of an evil revolution, but happenings like the Herrin massacre and the strange condition of Chicago may well arrest attention and make ordinary citizens ask if their security against disaster and anarchy is quite as firm as they believe it to be.

The point is that a massacre of this sort is not ordinary crime, but very much worse, because it is easy to see that if the conditions of Herrin and Chicago were to spread steadily and rapidly through the country, there would be an end of all security of life and property—in other words, of civilized government. In fact, although the massacre at Herrin was more horrible and struck the imagination more vividly, the occurrences in Chicago were even more ominous. Men and women cannot keep up the brutal wickedness of Herrin for long, and a reaction is bound to come ; but the cool law-breaking of the great city, the bombing and shooting with impunity, carry the germs of greater civic disaster.

These so-called labour leaders are a far more serious menace to the stability of the State than savage men and wild women, and infinitely more difficult to deal with. " Political crime " used to cover a multitude of sins, and now crime committed in the name of industrial necessity is superseding it. A great deal of subtle and most pernicious propaganda had prepared the way, and hypnotizes even the plain man, or, to give him his modern name, the bourgeois mind. Americans, like ourselves, have been carefully taught that to a working man in search of his rights all things are lawful, all things are expedient, and all things are to be condoned—conspiracy against the community, robbery, blood and death. It is a Holy War of Labour against

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Capital, so everyone is told. But a very short examination of the actual facts will disclose that it is another kind of war altogether; and that examination is fortunately being made by "some of the people" in Abraham Lincoln's sense, and Americans are slowly coming to understand what is happening, as will be seen in another quotation from the *Kansas City Star*. This comes from the middle of their great country, and may be taken symbolically as well as literally.

"They have buried their dead in Illinois, and American civilization is composing its face to that bland expression that has come to be its main alliance against all questioning, all charges, and all doubts. But questioning and doubt are not buried. They can neither be shot to death nor assured by the smooth countenance of society through whose hasty make-up show the scars and ulcers of a raging disease.

"In every American city known criminals walk the streets unmolested. In every American city crime goes unpunished, criminals walk unscathed from the dock amid public plaudits, while bold graft and flaunting vice in every political place bow graceful and pleased acknowledgment.

"A country where class hates class, and class arms against class, shooting and lynching and burning and dynamiting, while the Law looks on and the public is so indifferent that it even looks away. A country that throws open its gates to alien criminal and alien lunatic, to anarchist, bomber and hired assassin, and where few Americans are born, few vote, and few lead.

"What of America?"

"What of its liberty and laws, its beliefs, faiths, sobriety and gravity of thought and action, that were the America of old?"

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The answers to these questions must be given by Americans. All that an outside observer can do is to state the problem, and to record a personal impression that there is not much left of the America of old, with its puritan limitations and its firm puritan principles.

This is not saying that the case is hopeless. Far from it !

## THE ORDEAL BY FIRE





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IN these humble studies of American criminal problems it seems best always to rely on native records of the facts and criticisms of the principles involved, rather than to advance one's own opinions too freely. A foreigner may easily be too severe, or take up the wrong point of view, but anything from an American source cannot be objected to on this score.

This applies with greater force to one crime which a large number of Americans condemn very strongly, but seem unable to stop, or in any way to influence the perpetrators thereof—namely, the frequent lynchings of Africans, or negroes, in the Southern States for assaults on white women.

Not\*to go back too far, or dig up ancient history, we may examine a couple of typical cases that happened in Texas so recently as May, 1922.

The first was rather a mild example of this particular offence and its usual sequel, but it served to show the strange barbarism of people who are otherwise civilized, and who, when one meets them on ordinary occasions, make a distinctly pleasant impression on one. No doubt they are less agreeable when actually engaged in lynching, but otherwise their record is perfectly good.

The facts in this case were few and simple. A young white woman, named Mrs. Hayes, was (according to her own account) attacked in the

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usual way by a negro one Thursday night. The next afternoon a telegraph operator caught an African in the public square, when the whole township was excited and probably more or less engaged on a man hunt—said to be the most exhilarating of all forms of sport.

This telegraph operator did not take his captive to the police station. He knew better. In fact, it was evidently not the correct thing to do in Texas, as it might have resulted in the negro having a chance to escape burning, and also have got the telegraph man into trouble as one who did not uphold the supremacy of the White Race with sufficient firmness.

With his wife's help, therefore, the telegraph man walked that negro to the home of the girl who had complained of the assault.

When she saw the negro, she at once threw up her hands and screamed that he was the man who had attacked her. What he said was not recorded. Perhaps he did not say anything. At her scream, her father, who was present, "grabbed a pistol," so the report said, and began firing. Seven bullets were fired into the African, and then he seemed to have succumbed.

The next performance was to have his corpse removed to an undertaker's parlour, but this in some way annoyed the township, as being the wrong thing to do; so presently a crowd of citizens, estimated at six thousand persons, went and stormed the premises of the hapless undertaker, seized the corpse, tied it to a truck and dragged it through the streets, and then burnt it to ashes on the public square.

This black man was evidently born under a lucky star, seeing that he was shot by the overhasty hand of Mrs. Hayes' angry father, and died

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of seven bullets before he could be dragged by a truck or burnt by fire. It was probably a slight disappointment to the crowd, but they seemed satisfied on the whole ; and so, apparently, were the authorities, as no action was taken.

The man may have been guilty of the assault, and again he may have been innocent. But in any case he was murdered out of hand at the scream of a probably hysterical woman, who might not have been right in her identification of him as her assailant. That his miserable bullet-riddled corpse was dragged through the streets and then burnt seemed to be a fact, not about him, but about the crowd to whom such a futile and disgusting exhibition was a satisfaction.

In this instance the negro's guilt was not established, neither did he suffer the extremity of vengeance, but a much more ghastly example happened about the same time, also in Texas. As it took place a week or two earlier, it may have influenced the crowd to behave in the above mentioned and rather grotesquely savage manner.

In the second case there was no living witness against the criminals, but the corpse of a school-girl, seventeen years old, was found in a state that almost justified the fury of the mob. She had evidently been tortured and mutilated in a manner that cannot be described here, her throat was slashed horribly with a razor, and her head had been stamped into the ground until recognition was almost impossible. In this terrible condition she was discovered.

Her murderers were soon caught, the first being a black named Curry. He was quite cool and collected, and confessed his crime, also implicating two other men. The strange thing was that these three negroes, who were employed on a farm near

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the town, had up to that time been known as quiet and hard-working labourers of good character, yet they had suddenly gone blood-crazy and had been inspired by Satan collectively to commit this unprovoked murder of almost unparalleled atrocity.

The effects of their revolting violence were clearly seen on the remains of their poor victim, and also in his confession. Curry quite willingly gave all the horrible details. He said that the girl, Eula Ausley, was riding, and they hailed her. Since she knew them, she suspected nothing and reined in her horse to speak to them, as requested. Curry then seized the bridle, and the other two men pulled Miss Ausley off her horse, which they released. Then they carried the girl about a hundred yards up a ravine away from the road, and began their fiendish work.

He described the diabolical tortures and indignities they inflicted on their victim, and at last, when she was mutilated, exhausted, and dying, two of them held her while the third walked up and down the little stream in the ravine, searching for water deep enough to drown her. No suitable pool could be found, so she had to die some other way, and at this moment Curry slashed her throat with a razor, ending her truly awful sufferings.

It is scarcely a matter for surprise that the mob became furiously inflamed, and it is more difficult than usual to condemn them for the death they meted out to these black fiends, seeing this was not a case of an alleged assault that might not even have been committed, and had left the subject not very much the worse, except in her mind. It was a deed of such monstrous, unnatural wickedness that perhaps for once the

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avengers should not be too heavily judged. Any man or woman would pray to be spared such a terrible position as that mob found itself in, with such a decision to make as to what in the sight of God and man ought to be done. The poor, tortured remains of the young girl made a mute but overwhelming appeal, and it could not seem as if the easy death by a bullet or a rope was the just and sufficient requital of the truly fearful crime. Civilization saves us from a great deal, but sometimes it gives way under our feet, and it is exactly at that moment when all the complication of law and justice, right and wrong, good and evil, becomes absolutely insoluble, our souls have to grope darkly for some guidance to get us through. Something must be done, but what? Away from such an awful reality as this murder, one could perhaps preach about remembering this, that, or the other, but face to face with a problem like this it is almost impossible to do anything except meet the devil's work with a fearful retribution.

As soon as the three negroes were caught, the mob started preparations to burn them alive. Five hundred people participated in this sentence, that each negro should be burnt to death separately. Groups of negroes stood about and watched the death of the accused men. In one of these groups was the brother of one of the murderers, and when he looked on at the horrible fate of his brother he denounced the mob in a frenzy, being quite crazy at the time. Next night some men went to his house, took him out and hanged him, for no crime except being unhinged by his brother's fiery death, soaked with oil and tied to a stake, to be consumed by inches.

Here the vengeance of the mob went too far,

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and quite outstripped any sympathy reasonable people could possibly have for their straits over the young girl's hideous death. It was in every way a mistake, as well as a crime, but seemed to be endorsed by the public opinion of the town. As the reporter grimly remarked : " If any effort is being made by State authorities to discover the identity of the members of the mob who recently burned to death three negroes at Kiroin, and hung a fourth negro, there are no surface indications of it here."

While the murder of Eula Ausley was one of the most atrocious on record, still certain law-abiding and far-sighted citizens even in Texas itself were shocked by the punishment of the guilty Africans ; and the case, from its peculiar and concentrated horror, attracted a good deal of notice in California, provoking many strictures on what they called " Southern justice." A typical condemnation of these happenings may be quoted from a Los Angeles paper : " For two generations white women have been criminally assaulted by black men in certain sections of the South ; and the suspected assailants, when caught, have been burned to death without trial. More negroes have been burned in Texas than in any other State, and more white women have been assaulted there.

" Burning a human being alive is to yield to a savage instinct. It is murder in its most horrible form, second in atrociousness only to the crime of which the negroes were accused. It is mob vengeance in its most revolting type. But preaching against it seems to have little effect on the hot-blooded and lawless whites in Texas and other Southern States."

He goes on to point out that Los Angeles has

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a large coloured population, who were all either born in the South or were the descendants of Southern negroes. Yet there had not been a lynching of a black man for a generation, and at the time of writing (May, 1922), in one hundred cases of assault recently reported by the police, there was not one on a white woman by an African.

He drew the moral that the ordered working of the Common Law was a greater deterrent than this barbarous Southern justice. "Victims of mob violence," he remarked, "whatever their crimes, enjoy a certain martyrdom. Hanging, after conviction, on the other hand, is an unattractive, vulgar form of death. There is nothing exciting about it. Negroes who have confessed, after being legally convicted, have said that lynch law multiplies the chances of escape; for the mob is likely to lynch the first negro it catches and the real criminal is then out of danger, because to convict him would be to admit that an innocent man had been murdered."

The more this question is examined, the less easy it is to understand the rights and wrongs of it. On the surface it is, of course, shocking and horrible, for example, to burn three men to death one by one, as if the crowd enjoyed the spectacle and wanted to spin it out to last as long as possible. It takes some time to burn a human being, even when he is soaked with paraffin, and it is certain that this crowd stood and waited relentlessly for each of these men to be tied to the stake, saturated with oil, set ablaze and incinerated. As the first perished, the second was tied to the stake, and after him the third. For such a thing to be done in cold blood would stamp those Texans as degraded ruffians, but before utterly condemning



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their action let us remember the state in which Eula Ausley's dead body was found. No paper in America, or in any part of the civilized world, could have ventured to publish a photograph of that unfortunate young girl's remains, it would have been far too horrible. It is only fair to consider that some members of that mob had seen her in her unspeakably mutilated condition, and all the crowd had heard what happened to her.

Even so, perhaps they were mistaken in their revenge on her torturers as well as murderers, but from their point of view it was an execution demanded by the circumstances. It is no use condemning their action out of hand, but it is a strong argument against these lynchings if the Californian pressman was right and they did not act as deterrents. One must believe that these executioners are more anxious to protect white women than to gratify a savage instinct of revenge against black men, and if this is so, surely they would listen to representations that at least the law should function first, and that no "mob justice" should prevail until and unless the legal protections failed.

It is possible that these constantly recurring crimes and burnings may be a sort of cause and effect, and the anger stirred up among the negroes at the sight of a lynching by fire may excite the spectators to further outrages on white women. In any case, it might be worth trying an experiment of stopping this savage retribution to see if it had any effect on the crime. One point is very serious, and may well exasperate the negroes—namely, that some of the men burnt to death in this horrible manner are innocent, and are sacrificed vicariously by a semi-insane mob, who

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are blood-crazy and must wreak their vengeance somehow on someone.

It is also quite possible that some of the accusations are hysterical, seeing that it is a very easy way for a girl or a woman to become a sort of heroine and centre of interest. She has only to swoon and shriek and play the role of the chaste Lucrece style of thing to start a man hunt that will end in a fierce holocaust. From the context one gathers that an attempted assault is sufficient to insure the black man's death by fire, and that no corroboration of the charge is expected or wanted by the mob. This opens the way to false accusations, and also hasty identification in real cases, and it is not difficult to realize the effect on the negroes of an innocent man being sent to a terrible death on the lying words of an imaginative woman, with the hysteric craving for notoriety and a chance to pose. They are told—in fact, they have it constantly dinned into their ears—that the white race is immeasurably superior to the African, but probably they illustrate the old Arabian\* saying: "The camel-driver has his opinions, and the camel—he has his." The whites have their opinions, which they express freely by pen and voice and burnings. It is only reasonable to believe that the blacks have views, too, which they keep to themselves except when they have a chance of degrading a white woman.

In the interests of all concerned, this problem of crime would probably be best solved if in every case of alleged assault the assailant were properly identified and tried in court, on sworn evidence and some corroboration—direct or indirect—of the charge, thus giving an innocent man a chance to defend himself, and condemning a guilty man according to law. If the white men's hands were

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clean, and no savagery clouded the issues, these negro criminals, or at least the better specimens of their race, might possibly feel the degradation of their behaviour. But the grand qualities of the white race are not well illustrated by a wild mob of furious beings, engaged on perpetrating what, before the God that made them all, black and white, must be called an inhuman atrocity even when the object of their violence is guilty. What can it be called when he is innocent? A proof of the superiority of the white race? Well, not exactly!

## ARBUCKLE, THE SCAPEGOAT



## ARBUCKLE, THE SCAPEGOAT

MACAULAY once remarked, apropos of Lord Byron's troubles, that there was nothing more ridiculous than the British public in one of its periodical fits of morality. He would probably, if writing to-day, bracket some American performances with ours, and might have selected the case of Roscoe Arbuckle, the fat comedian and moving-picture star, to serve as a text.

To understand this case it is necessary to touch on the local jealousy between San Francisco and Los Angeles. The older city of the Golden Gate has been lately surpassed in population by her younger rival, and does not like it. San Francisco can, of course, remember when Los Angeles—not many years ago—was just a modest *pueblo*, or large village, and is ruffled by the knowledge that nowadays the City of the Angels claims over half a million inhabitants, being about fifty thousand ahead of the Bay City of Saint Francis.

She is also increasing at a much more rapid rate than her northern rival; in a word, having got a good start, she is keeping it up, and among other causes for her swift advancement it is thought that the film industry has a good share. It is the fifth or sixth largest industry in the United States, and more than half—some say more than three-quarters—of the pictures are produced in or near Los Angeles. This has attracted capital and a great many workers.

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Now let us bear all this in mind ; that the San Franciscans are sore about the Southern Californian progress, and put at least some of the prosperity to the credit of the film industry ; and that Los Angeles was not a silent or modest winner, but rubbed it in all the time, boasting in season and out of season of her "lead," and dwelling on the glories of the "movie" business.

This had gone on for some time, when, just at the psychological moment, as some writers call it, a scandal cropped up which gave San Francisco an excellent chance to go for Los Angeles through the motion-picture industry, and, of course, she gladly seized it.

The affair began when the well-known and very popular cinema star, Roscoe Arbuckle, after finishing a picture, thought he would like a little change of air and scene, and—most unhappily for himself—selected San Francisco as the place to get it. He was gone a few days only, and had returned to Los Angeles when the startling news flashed through the city that he was wanted on a terrible charge—namely, of criminal assault on a girl, who had died in consequence.

He did not wait to be arrested in Los Angeles, but travelled straight back to San Francisco and gave himself up. And from this there began one of the most amazing cases that has happened, even in America, for some time.

The first accounts of the crime were very lurid indeed, and were perhaps not entirely suitable for quotation here. He was accused, in press interviews with witnesses against him, of really horrible behaviour, practically of tearing a poor young, innocent girl to pieces, who, after lingering in dreadful agonies for five days, died of these unspeakable lacerations, in spite of all that skilled

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surgeons could do to save her life. And so on, in very inflammatory language. San Francisco let herself go, and the members of the best women's clubs took it up, and Arbuckle had to stand his trial.

The prosecution, flaming and shrieking, demanded that the indictment should be murder in the first degree—the most serious crime in the American code. The judge, to his credit, would not agree to this, and the charge was therefore reduced to manslaughter ; and this unlucky actor had to face a very severe ordeal, especially at his first trial. Large squads of respectable women, mostly society people, attended the court to glare and snort and make things as harassing as possible for the prisoner.

It was altogether a trial that smirched the good name of San Francisco, as any amount of vehement personal animus was displayed against Arbuckle, and the atmosphere was entirely opposed to the accepted idea of a Court of Justice. But in spite of all that the prosecution could do in the way of bias and unfairness, the jury disagreed and were discharged. There was much clamouring, howling and threatening, and he was tried again—with the same result.

By that time, and even sooner, Los Angeles had got firm hold of the real facts of the case, and stood by Arbuckle gallantly, as did his friends. One Los Angeles paper pointedly accused San Francisco of "swatting the Southland," and openly said that if Arbuckle had been a Friscan instead of an Angeleno, nothing would have been heard of the case. This was, no doubt, quite true, and not at all to the credit of San Francisco, as some of her more rational and fair-minded citizens began to grasp.



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Arbuckle was let out on bail, and a month or two later his third trial took place. This time he was properly treated, and the case was heard in a less "electric" atmosphere. The accusation, as before stated, was that by inhuman violence he had caused the death of this young woman, Virginia Rapp. The charge in the first place had been brought against him by a woman who was present, and was admittedly so drunk that she could not have known what he or anyone else, including herself, was doing. Her story was intensely graphic, but somehow the prosecution, even at its hottest, left her to tell the awful particulars to the newspaper men, and never called her as a witness in any of the trials.

Truth is sometimes stranger than fiction, but not in the Arbuckle case, where the actual facts were tame indeed compared with the hectic accounts that were disseminated, though never sworn to. What took place was something as follows: Arbuckle went to San Francisco for a change, as aforesaid, and took a suite of rooms in one of the best hotels. He invited one guest, so he said, but it got round that there was liquor in his rooms, and other persons came unsolicited to enjoy his hospitality. He was known to be good-natured and always willing to pay for "booze" at any time, and among his self-invited guests was Virginia Rapp. She was not a young girl, being at least five-and-twenty, if not older, and she knew Arbuckle slightly, and presumed on his easy-going ways to come in with another impromptu caller.

She was decidedly handsome, with dark eyes and hair and a good figure, but had not succeeded on the films, partly for want of ability. Owing to this failure, she thought of trying her luck as a

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mannequin, and 'hoped to meet someone at Roscoe's spree party who might help her. As to her character, poor thing, it is not charitable or necessary to be too explicit ; but, as one of the defending attorneys remarked, it is doubtful if all the society and club women would have cared to associate with her in life, though they were so passionate in avenging her supposed murder.

Anyhow, strict sobriety was not one of her strong points, and she also suffered under the peculiarity that as soon as she drank a glass or two of strong waters, the effect was to make her violent and hysterical, so that she usually tore her clothes off. While Arbuckle was in his sitting-room, no doubt carousing with his other guests, Virginia Rapp was evidently taken ill. She went into the adjoining bedroom without anyone noticing it, and shortly afterwards Arbuckle wanted to change for a ride on horseback, and also went into the bedroom.

Here he found Virginia Rapp in a dreadful state, screaming, writhing, and tearing her clothes. He at once called some of the other women in to help her, and was rather upset at the noise they were all making, knowing it might get him into trouble with the hotel management. It was decided, after a hasty consultation, that Virginia seemed to have something more serious than drink and hysteria the matter with her, as she seemed to be in great internal agony. They thought she ought to be removed to another room, and put to bed. Arbuckle helped to carry her there, and a doctor was sent for, who said she should be in a hospital. His advice was acted on, and she was taken to a hospital, where she had every care. This happened on Monday, and on Friday she

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died, and after her death the case against Arbuckle began.

The evidence for the prosecution in all three trials was very unsatisfactory, even the medical testimony, whereas Arbuckle's story in defence was not only reasonable, but was also corroborated by several witnesses. The medical evidence for the defence was as conclusive as that sort of evidence ever is, or can be; and according to this, there was no trace of any outrage. Virginia Rapp died of an internal rupture that was probably—almost certainly—due to disease, for her life, poor soul, had been a careless one, and drink and dissipation had wrecked her constitution. Whether she injured herself in her wild, hysterical struggles while crazy with liquor, or whether the lesion occurred inevitably as the result of advancing disease, was a question. But it was one or the other, and she had not suffered any assault from the film star.

People have only to exercise their common sense to see that the story told by the prosecution was extravagantly incredible. It promulgated the assertion that Arbuckle, in daylight and before ten or more men and women, seized Virginia, dragged her into the bedroom, locked the door, and proceeded to assault her fiendishly, in spite of her heartrending yells and appeals, while the other women were pounding on the locked door and screeching like mad to him to desist. All this in a hotel with many other visitors!

The only person who stuck to this grotesque story was the afore-mentioned blind-drunk lady, and she was never called as a witness. The defence commented on this curious fact, and were told snappishly by the prosecution that if her

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testimony was wanted the defence could call her at any time! Unprejudiced persons drew the obvious inference—that the prosecution dared not expose her to the cross-examination of the defending attorneys, but preferred apparently to bring a charge founded on out-of-court evidence that was never produced in court.

The evidence for ~~the~~<sup>he</sup> defence—though two juries disagreed over it—rather damped the enthusiasm of the club and society dames who had championed Virginia Rapp so hotly and raved against her alleged destroyer. In spite of his dangerous position, Arbuckle did not attack Virginia Rapp's character at all harshly, but everything that came out about her tended to show how far she was from being the sort of person the over-virtuous club members would have wanted for a friend. As it was, their championship was somewhat superficial, seeing that they allowed the poor broken butterfly's body to lie neglected at a funeral parlour for a fortnight and never offered to bury her. The money for this purpose came at last from a former lover in New York City, who authorized a handsome funeral, with the best coffin and no expense spared.

Her remains were then sent back to Hollywood, and lay in state at one of the leading undertakers. A large crowd filed past the open casket, and there was a vast assemblage at the cemetery. She was buried in a pretty dress given by Charles Chaplin's ex-wife, Mildred Harris, and there were banks of flowers decorating her. She had lived a sufficiently sordid life, but she was laid to her last rest with every token of public regard and esteem, in a fashionable coffin and arrayed beautifully. Her desire to be a

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mannequin was strangely fulfilled in a dress parade of Death.

While her body was lying neglected in San Francisco, some enterprising showman in Los Angeles ran her pictures at the cheaper houses, and drew crowds, though it was extremely uncanny to watch her playing in a light-hearted farce, laughing and dancing—with the knowledge of her sad end.

By the time Arbuckle's third trial concluded it was more than six months after the catastrophe, and public opinion had sobered down in San Francisco, with the result that the jury gave a verdict in his favour, and went considerably further. They exonerated him entirely, and recorded their opinion that a great injustice had been done him, and there was not the slightest proof to connect him in any way with the commission of a crime.

A great injustice had been done, and in the sequel a still greater injustice followed his acquittal. If he had been guilty even in a minor degree, his patrons would undoubtedly have had no further use for him as a cinema star, but under the circumstances, picture-goers and the general public thought he would be reinstated in his former position as a matter of course. The studio where he worked was anxious to get him back, and when Mr. Will Hays, called the "Tzar of the Movies," was asked for his sanction, he gave it freely.

Then the astounding thing happened, and at that moment the periodical fit of morality broke out with acute virulence, and made a scapegoat of an ill-used and quite innocent man who had already suffered heavily. To their everlasting discredit, many Protestant ministers, especially

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in Los Angeles, but also in other places, egged on by various elderly women of social and club importance, conducted an extraordinary campaign of hysterical malevolence not only against the unlucky Roscoe Arbuckle, but against his supporters and admirers. It was turned into a sort of Last Judgment affair, the sheep and the goats being represented by those who were out to ruin Arbuckle and those who ventured to say he ought to have fair play.

What their real motives could have been baffles ordinary comprehension. Perhaps psychoanalysis could have fathomed the mystery and explained the almost insane animus of these worthy persons. The battle raged with cyclonic fury, and before long a comparatively small handful of these fanatics actually won the day and dominated the situation over the whole forty-eight States, so that Arbuckle's return to the screen was prevented and his pictures already made were banned.

It was quite impossible to discover on what ground they proceeded, seeing that after three trials of the most searching kind, with everything against him, Arbuckle had been more than acquitted. He had been exonerated and a voluntary *amende* made him by a mixed jury of men and women, which the judge and spectators accepted without protest. So it could not be on the score of the actor's guilt that they banned him. As for his personal character, apart from this specific charge, it was certainly no worse than that of the next man. Perhaps he did give "booze parties" at his handsome house on West Adams Street and elsewhere, but *that* would not be marked on him in Los Angeles, San Francisco, Chicago or New York City.

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Pushed back to its last excuse, this persecution resolved itself into claiming that a man's life should be ruined and he should be hounded out of his honest employment and left to starve if a few uninvited guests joined him for a drink in some rooms of one of San Francisco's best hotels. It is difficult to believe that ministers of the Gospel lent their influence to aid and abet this shameful performance, but a large number did. A few had the courage and the Christian manliness to denounce these proceedings, for no doubt they perceived, what escaped the excited persecutors, that the matter might begin with Roscoe Arbuckle, but would not end there.

As for the club and society women whose ungoverned hysteria was mainly responsible for the scandal of pursuing an innocent man, they only demonstrated what a danger to legitimate personal and public liberty they would speedily become if not checked in time. The whole case in effect did great harm to the cause of decency, and even of law and order, to say nothing of the indirect results as affecting religion. Ordinary sober-minded people, the silent majority whose opinion rules in the long run, disapproved intensely of this curious and indefensible frenzy, and with this important majority both the ministers and society women lost ground, to the detriment of the community at large.

What all fair-minded persons thought was that Arbuckle should have been judged by his own public, the patrons who went to his pictures. He was quite willing to appeal to them, and to abide by their decision, and he was not forcing himself, or being forced, on anyone else. If the picture-goers condemned him and stayed away from his films, it would have been a different

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matter, for their favour had made him, and their opposition had a right to break him. He was content to risk the experiment, and would have been powerless to help himself if his patrons had gone against him. In that case he would have speedily disappeared into oblivion without any fuss or reaction.

But these puritan fanatics refused him this chance of appealing to his patrons, and they, further, refused to allow the public to judge for themselves—a shameful persecution of an individual, and an unwarrantable interference with the rights of the majority. It is stupefying to think that a few ill-judging, uncharitable preachers and a crowd of utterly irrational women could carry their point against all America. If it had been a case of “one weight and one measure,” then, to be consistent, these self-constituted guardians of public morality should have banned some other film actors and actresses whose personal record was much worse than Arbuckle’s.

His pictures were always clean and his fun wholesome, so that no one could have been defiled by seeing him on the screen ; yet there were other players, whom these Hounds of Heaven (in their own estimation) saw fit to spare, who appeared in grossly erotic and demoralizing scenes in many pictures that were calculated to pollute people’s minds, especially the minds of the young and inexperienced. It was another case of the Jeddburgh justice, held up to scorn by Macaulay. First the execution, then the accusation, and last of all, or not at all, the investigation.

These persons got themselves into the ugly position that either they had not inquired into the victim’s case before crushing him, or that they did inquire and were impervious to facts. Either



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alternative is bad, but the latter is more dangerous to the peace and liberty of the community. If people hastily condemn without inquiry, they can sometimes be brought to a better frame of mind and be turned from their injustice by learning the facts. But Heaven help us all if we are to be ruled by the narrow prejudices of austere despots who can disregard the plainest evidence and act as if it did not exist !

No one would hold up Roscoe Arbuckle as a model of all the virtues, yet it is only fair to him to record that he showed sterling qualities in very trying circumstances. It should be remembered that he was at the height of his prosperity when this crushing calamity fell on him without any warning, and the sudden reverse of fortune might have excused a loss of balance. Yet all along he showed a fortitude and self-control that probably few of his persecutors would have equalled. With every temptation to talk to the pressmen and abuse the prosecution and his other enemies at large during and between his trials, he never uttered an unseemly word. One small incident illustrated his attitude. Just after he was accused, the newspaper men were photographing him in the usual way, and one of them asked him to smile. He replied, "Not in the circumstances." That showed him to be a man of good instincts. He declined to be photographed smirking over the death of Virginia Rapp, and the charge of murder.

An almost severer test came after he had been acquitted with honour, and confidently expected to go back to his work on the screen, when these hopes were shattered by the onslaught of the merciless puritans. He might well have been excused if he had assailed them in something like

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the unbridled language they used towards him, but again he kept quiet ; and when he was invited to Chicago for the purpose of attacking his enemies he did not accept the invitation. It must not be forgotten that the costs of his three trials were very great, and he was practically beggared by them, and was in sore need of the money that he could have earned but for the opposition of the over-righteous. One may be mistaken, but surely, judged by Christian standards, Roscoe Arbuckle made a distinctly better show than the godly (?) men and super-virtuous women who persecuted him.

Later on, at Christmas, he made an appeal for fair play—nothing more. His words were :

“ All I ask is the rights of an American citizen—American fair play. Through misfortune and tragic accident, I was tried on a charge of which I was absolutely innocent. A jury composed of eight men and four women, all of whom were of high character and excellent civic standing, and all of whom were members of churches of the various faiths, found me innocent. Not only that, but the same jury sent a message to the American people in this language—

“ ‘ Acquittal is not enough for Roscoe Arbuckle. We feel that a great injustice has been done him. We also feel that it was only our plain duty to give him this exoneration under the evidence, for there was not the slightest proof to connect him in any way with the commission of a crime. The happening at the hotel was an unfortunate affair for which Arbuckle—who, so the evidence shows, was not the host at the party—was in no way responsible.

“ ‘ We wish him success, and hope that the American people will take the judgment of

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fourteen men and women, who have sat for thirty-one days listening to the evidence, that Roscoe Arbuckle is entirely innocent and free from blame.'

"Unlike the jury," he continued, "those denouncing me heard no part of the evidence and are without knowledge of the facts. The Scripture says, 'As ye judge, so shall ye be judged.' How would my accusers like to be judged the way they are judging me?"

"The institutions of my country, the courts and juries, and the law of the land have declared me innocent, and I am entitled to the benefit and protection of the law. Those who are unjustly, untruthfully, maliciously and venomously attacking me are refusing to abide by the established law of the land.

"I am not only wholly innocent, but more than that. There is a higher law that deals with the spiritual side of mankind, and surely this Christmas time should not be the season when the voice of the Pharisee is heard in the land.

"But even suppose that I had not been able to conclusively establish my innocence, and I were, conscientiously, through an orderly life, to atone for mistakes, would I not be entitled to an appeal for forgiveness according to the Scriptures, the letter of which so many in the pulpit seem to observe, and the spirit of which some in the pulpit seem to ignore?"

"It is not difficult to visualize at this time of the year, which commemorates the birth of Christ, what might have happened if some of those who now heartlessly denounce me had been present when the Saviour forgave the penitent thief on the cross, in words that have more influenced the human race than any other words ever uttered.

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Would not some of those persons have denounced Christ and stoned Him for what He said ?

“ Christ said that the three graces were Faith, Hope and Charity, and the greatest of these is Charity. Is religion the heart of Christ, or is it a thing of only teeth and claws ?

“ No one ever saw a picture of mine that was not clean. No one ever saw a picture that was not wholesome. No one ever will see such a picture. I claim the right of work and service.

“ The sentiment of every church on Christmas Day will be peace on earth, good will to all mankind. What will be the attitude the day after Christmas towards me ?

(Signed) “ ROSCOE ARBUCKLE.”

This appeal failed, but how often does an appeal of this sort succeed that has asked Christians to act up to the Spirit of Christ when their tempers and their passions oppose it ?

A strange fact is that these very same over-righteous men and women, who refused not mercy but justice to the unfortunate and innocent film actor, were always ready to agitate in favour of the most brutal and depraved of convicted murderers.

Who can explain such an anomaly ? But it must be recorded as adding to the problems which America will have to solve.



## CRIMES AND CONTRASTS



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THE following crime, which may be called a tragedy in the desert, had several unusual features about it. In the first place, the murderers were caught before anyone knew that a murder had been committed.

This happened because two young lads—hardly away from their mothers' apron-strings, as the pressman remarked in the hackneyed phrase—drove gaily into a town on the edge of the desert, and appeared to the local constable to be in unlawful possession of the automobile. He went on general principles, that starveling youths were not likely to be the owners of a good car, so he arrested them and charged them with having stolen it.

When questioned they at once admitted that they had killed the owner; they told all the shocking details, and ended by leading the police to the scene of the crime, where the much battered body of the victim was found. He was identified as Leslie Nichols, travelling adjustor of the Northern Assurance Company of London, and his self-confessed murderers gave their names as Charlie Davis, of Alabama, and Lawrence Campbell, of Michigan. One was seventeen and the other eighteen, and they did not seem to be unusually robust or athletic, while their victim was a strong man in the prime of life.

The extraordinary thing about these boys, which struck the police, was their preternatural



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calm after arrest. "No recriminations, no excuses, no contrition, mars the utter serenity of these two youths, who seem to have been reincarnated from an age of Machiavellians," wrote the stupefied reporter, contemplating the couple of young moral monsters. "In a matter-of-fact way and without any emotion other than something strangely akin to exaltation, they relate to all who inquire horrible details of this atrocious crime."

He described how they gloated over their narrative, and how their eyes glistened "with a reminiscent look as though what their minds' eye was picturing and their weak lips were telling gave them more pleasure than viewing a lurid and morals-destroying motion picture."

The authorities for once were aroused, their feelings were worked on, and they pronounced it to be one of the most brutal, cold-blooded and absolutely inexcusable murders ever recorded in California's history. Having due regard to what has been recorded in the said history, this was saying a good deal.

The immaturity and weakness of the lads seemed to make their performance more heinous, but from the pressmen's point of view they had one good quality. They were ready to tell their story on the principles recommended by the King of Hearts in "Alice in Wonderland"—to begin at the beginning, go on to the end, and then stop.

They began at the beginning of their adventure, and told how they were stranded on the edge of the Colorado Desert, a lonely and not too cheerful place, when Mr. Nichols happened along opportunely in his motor car. They appealed for a lift, and he good-naturedly stopped to pick them up.

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Like other men who have got on, he probably had rather a soft place in his heart for weary, footsore boys, and was glad to help them. He might perhaps once have been a weary, footsore boy himself, and not have forgotten what it felt like. Not the least suspicion of them seemed to cross his mind, though their intentions might have appeared in their expressions, as, according to their account, they had planned beforehand to rob him if they could only persuade him to give them a lift.

They lost little time in starting their foul play. When they stopped for a drink soon afterwards, and apparently all got out of the car, they attacked Nichols, took his money and his watch, and then stripped his clothes off and hit him on the head with a stone. He seemed to have been entirely surprised by their onslaught, and fell to the ground dazed. They added that his fingers gripped the sand, and he tried to recover himself; but this part of the story sounded unlikely and was rather confused.

He appealed to them, they said, and their answer was a shot straight into his back—showing that, like most American tramps, no matter how poor, they carried firearms. It seems, however, much more likely that they shot him first and did the robbing, stripping and stoning afterwards; but having been brought up, like the rest of this generation, on screen stories, they perhaps thought it more thrilling and artistic to elaborate matters somewhat, for they added a good many details here, and said that he tried to rise and they stoned him again. Then they made him get on his feet and struggle along for a quarter of a mile to be tortured again until it seemed time to kill him outright with a second shot.

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This certainly sounded more like the average scenario than fact, especially since shooting and not stoning had caused his death, as was shown by an examination of his body. They probably battered him as he lay dying, or after his death, to make sure of their work, and also to gratify their evil instincts with a sufficient amount of dramatic expression.

At this point the steadiness of their narrative began to fail, and Davis broke off to accuse Campbell of firing bullets into their too confiding benefactor, and Campbell accused Davis. In some minor details also their versions differed, but they agreed on the main facts of stoning him, robbing him, stripping him, and shooting him.

The authorities disregarded small discrepancies, also Campbell's accusations of Davis, and Davis's counter-accusations of Campbell, and charged both lads with murder.

Among other questions they were asked was whether Nichols did not "put up a fight."

"Naw," said Davis disdainfully, adding casually: "He was a good guy; gave us cigarettes and everything."

Asked if Nichols said anything after being attacked, Davis replied indifferently:

"Sure. Nothing—only, 'Well, boys, this is a fine way of treating me after what I done for you!'"

"And didn't that tend to influence you to be merciful?" asked the officer.

"Naw," with an inscrutable smile. "I hit him again with a stone."

No wonder that even the hardened officers of the law, with all their many years' experience of violent crimes, should feel rather sick over these

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two callous young savages, weedy boys of seventeen and eighteen, rehearsing their evil doings with inhuman serenity.

Why, in Heaven's name, they were asked did they kill Nichols after robbing him ?

A shrug of the shoulders was their only answer, and the reporter went on to demand at large in his columns who these young fiends in human shape were. He paused to answer his own question rather uncomfortably, by admitting that they belonged to a certain class of American boys who were to be seen on the streets of any American city. In his own words: " Illiterate, uncouth, vile-mouthed, good for nothing, glibly and proudly referring to ' jobs pulled,' they are in fact morons. Their every action, every gesture, every word bespeak the fact—hence innate criminals. And they glory in their condition, these youths."

Here is another aspect of America's problems connected with crime, and one that will have to be solved in its urgency. It will not be settled by humanitarian nonsense and sentimental leniency. On this occasion, it is satisfactory to record that justice did, for a wonder, follow swiftly. These two morons were tried at once, were found guilty, and one of them was actually hanged. The other escaped with a life sentence, as the law of California forbids the death penalty to be inflicted on anyone under eighteen years of age, although it seems arguable that if a boy is old enough to commit a murder, he is by the same token old enough to be hanged for it.

This praiseworthy swiftness and sureness of punishment was distinctly unusual, but no doubt the details of the crime were so appalling and brought so vividly before the officers of the law that for once they thought more of protecting

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the community than of indulging dangerous criminals. The sight of the two boys in their victim's car, with his other property in their hands, and the discovery of his battered corpse out in the desert, probably worked the police up, and also the jury at the trial, especially as the criminals showed such insolent self-possession.

Under ordinary circumstances the community, especially the feminine section of it, would have been inexpressibly startled—not by the wickedness of the murder, but by the idea of hanging such a dear young fellow. Perhaps because there was no woman mixed up in the affair, public opinion was actually on the side of the law, and demanded satisfaction.

“Little groups of determined men were discussing the matter in stores, in homes, and along the streets of El Centro and other Imperial Valley communities to-night,” said the reporter. “They intend there will be no recurrence of a murder similar to that of Leslie Nichols. They intend that the justice accorded his self-confessed murderers will stand as an everlasting object-lesson to all youths indifferent to restraint.”

In other words, the old frontier spirit so often described by Bret Harte was waking up again in these days of motor cars, electric light, and wireless broadcasting, and threatened to be as forcible and speedy as in the departed years of Yuba Bill and his old stage coach. It seemed likely that the law recognized the symptoms in time, understood that Judge Lynch was stirring again and reaching for the necessary rope, and pursued the wise policy of forestalling him.

This desert tragedy was grim earnest, but in contrast there were other happenings which

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worried the police, and over which they spent considerable energy with negative results. In one case several young men went out hiking, or on the tramp, with a camera. They scrambled about the foot-hills not far from Hollywood, and took many snapshots of the scenery. When they got home and had their negatives developed and printed, one of the pictures provided a thrill of horror, as right down in the lower corner, half buried under some brushwood, was apparently the corpse of a handsome young woman.

Like good citizens, they showed it to the police, and it was published in the local papers, with the corpse enlarged until it looked rather ghastly. What gave additional interest to this picture was that there had been some landslides in the locality, and at once a theory was started that the camera had acted as an unconscious detective. A terrible murder had been committed in the lonely hills, the corpse had been buried hastily, and then uncovered by the landslide and revealed in this strangely providential manner by means of the lens which on occasion saw more and registered more than the unaided human eye.

This sounded scientific and impressive, and meantime the police were hard at work trying to identify the corpse, also to find out if any young woman was missing who at all resembled the deceased. In a day or two, one of those disagreeably observant persons—who live to destroy popular illusions—suggested that it was not the body of a poor outraged, murdered girl, but looked more like a young man when closely examined.

The authorities gazed at the picture again and inclined to agree; but though this discovery brushed the bloom of romance from the tragedy,

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it was generally conceded that even young men ought not to be murdered with impunity and their corpses buried in the foot-hills. Naturally public interest weakened somewhat when people could no longer conjure up terrible visions of a trusting, palpitating maiden of tender years being lured out to the wilds by some villain who cruelly butchered her and then hid the evidence of his crime, little thinking that the stars in their courses, abhorring his unnatural wickedness, would uncover his poor victim by means of a highly dramatic landslide.

The most fluent and experienced reporter in the whole wide world cannot work up such vivid interest in a young man, but the police did their duty and made a thorough search. They investigated the hillside and the surrounding canyons very strenuously, but they could not find any trace of human remains, or of a crime of any sort.

Then they turned back to the photograph and had it examined by experts, who suggested it might have been a double exposure. A little more study settled the question—it was a double exposure, and the corpse turned out, on further scrutiny, to be a member of the hiking party, who had evidently laid down for a rest and had been “snapped,” and another picture taken on the top of him.

It was rather a flat ending to what promised many thrills as a terrific mystery, but on the whole, people were relieved to hear that the foot-hills had not been the scene of a shocking murder. This would have damped the spirits of other hikers and campers. It is a curious fact, by the way, that only a few days after this false alarm, the corpse of a girl was actually found—only too

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real—on a lonely road near Los Angeles. Her fate was almost foreshadowed by the double exposure incident, and she probably read of it and saw the picture in the newspaper before her own doom fell on her.

Rather more tragical was another occurrence some time after the double exposure myth. This announced itself in the usual startling headlines, set out with capitals: "Wealthy Scion Nabbed As Car Bomb Death Suspect."

It seemed to require some interpretation, which was given in the article under that heading. From this it appeared that one had to begin with the word "Death," which referred to a young man named Van Tassel, who had been almost instantaneously killed by a bomb secreted in his automobile, which exploded and sent a profusion of slugs through his body. He died in his wife's arms, after giving her one last kiss.

That was the "Death" and the "Car Bomb"! The "Wealthy Scion" turned out to be the first husband of Mrs. Van Tassel, and the county homicide squad immediately began an investigation by questioning her. She told them she had been married to Van Tassel just a month, after getting a divorce from the "Wealthy Scion," with the custody of their only child and little daughter, Eva. The first husband's name was Engmann, and Mrs. Van Tassel said he had uttered threats against Van Tassel, warning them there would be trouble if Van Tassel, as step-father, ever corrected or punished Eva.

On this declaration, uttered tragically over Van Tassel's shattered remains, the police—or homicide squad—at once hunted Engmann down and arrested him at Long Beach. At the same



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time the officers took into custody, for questioning, Mrs. Madison, who was a friend of Engmann's, and was caught with him just after they entered the Star Bakery Company's shop—a business owned by Engmann's father and operated by Engmann himself.

"Grilled for two hours by the arresting officers," said the report, "Engmann denied all knowledge of the crime. He told an apparently straightforward story of his movements before and after the explosion. He admitted he was somewhat 'sore' at Van Tassel for weaning away from him the affections of his former wife, but that he had practically forgotten the matter, and carried no animus against the young oil worker."

The police, however, scented discrepancies in his statements, and announced that he would be taken to the city jail at Long Beach and charged with the murder of Van Tassel. Three pictures were published illustrating this information—one of Mrs. Van Tassel, one of Engmann, and Van Tassel (described as her murdered husband).

Van Tassel was killed while washing and cleaning his car preparatory to taking his family out, and his little step-daughter Eva had narrowly escaped sharing his death, as a few minutes before the explosion she had been helping him. He sent her into the house to bring a brush for cleaning the seats of the car, and she had just passed through the doorway when the bomb went off. It was indeed a slender margin of less than half a minute, and it seemed in the public mind to add to the enormity of Engmann's crime that, in addition to removing his rival, he had been callous enough to risk sacrificing his own little girl.

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It was then made clear to everyone that Engmann was a super-criminal, a man capable of the darkest deeds, a man (or something that looked like a man) who could spend time in secretly making an infernal machine for the fiendish purpose of introducing it into a car that was certain to be used by his ex-wife and his poor little baby daughter. What was his hellish scheme? To blow them all up into fragments for the gratification of an insane jealousy?

There was a feeling of relief and satisfaction that the police had acted so promptly, and (in the reporter's phrase) had nabbed the wealthy scion as the car bomb death suspect. Why a touch of opulence should always increase a man's guilt is not clear, but apparently it does, for it was certainly considered that Engmann's million dollars made a blacker devil of him, even though the money really belonged to his father. But, rich or poor, it was a very callous and horrible crime, if proved against any man.

The police, having arrested Engmann on a bare, unsupported charge of threatening Van Tassel, proceeded to try and "grill" him into admitting his guilt. They went considerably further than the British police would be allowed to go, but they could not squeeze any confession out of him. This was taken to be contumacy until suddenly the case against him entirely collapsed when it came out that the supposed bomb was some sort of contrivance that Van Tassel himself had put in the car and probably forgotten—until it exploded.

He was apparently a mechanical genius with a turn for inventing clockwork machines to serve various mysterious purposes. What this "bomb" could have been designed for was

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difficult to guess ; but, at any rate, Engmann had nothing to do with it, or with the fact that it blew up its inventor, and he might well have felt more than sore—wholesomely angry—about the accusations his ex-wife so recklessly flung at him.

It is rather interesting to speculate on what would have happened to him if the evidence as to the real history of the bomb had not come out, as he might have had some difficulty in proving that he did not place the “instrument of death” in the automobile. He would have run a good chance of being convicted, but not of being executed.

In contrast to these two mysteries that were solved prosaically without much delay, there was another crime about the same time, of a typical Western character, that turned out differently. This was the shooting of a well-known business man in Los Angeles, named Eric Rivington.

Like many other persons, he seemed blameless and perfectly respectable until he was murdered, after which catastrophe various things about him began to leak out. Perhaps “dead men tell no tales,” but in America at least, and also elsewhere, a pretty sure way of getting tales told about one is to be a dead man.

Eric Rivington seemed prosperous, and lived in a good house in a Western suburb of Los Angeles. A peculiarity of Californian (and most American) dwellings, even when large, expensive and fashionable, is their lack of grounds, also of hedges, walls, or any railing off from the next-door neighbours'. Every house stands in a row, with a small lawn in front, a yard or garden behind, and a garage at the side, and there is no privacy. People can be observed from up and down the

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street entering their front doors, or driving their cars into the garages, and any lurking assassin watching for his prey would be able to see the approach of a car or a pedestrian from a considerable distance, and could get into position in good time. All these out-of-town murderers are well armed, and have an automobile in an unobtrusive sideway, ready to carry them quickly out of reach of pursuit. It is so usual to see numbers of cars "parked," as it is called, along these semi-rural roads, that they attract no attention as a general thing. This secures the murderer's retreat, and if he can get five minutes' start it is very difficult to catch him or trace him in any way, except in the rare case of someone being accidentally on the lookout and noticing his car and his movements.

Very many people in and around Los Angeles, and other towns, are held up, robbed, and sometimes killed by these lurking bandits with automobiles, and the bandits as a rule escape. Mr. Rivington met his death at the hands of just such criminals. He was rather in the habit of dining out and returning home any time after ten or eleven o'clock. His wife was not on good terms with him, which accounted for his frequent absences from home.

One night he dined out as usual and drove back, to be shot to death as he got out of his car, before he ran it into its garage. It was not very late, certainly before midnight, but neither Mrs. Rivington nor their servant heard any shot fired, though the servant was awakened somehow.

Owing to the estrangement between them, Mrs. Rivington took no interest in her husband's goings and comings, and his absence that night was not noticed, and would not have caused any anxiety

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if it had been known to his household. Next morning, however, his body was found lying near his car, and the crime was at once investigated. As usual, a great many clues were stirred up, and much detail about the habits of the deceased—some of it very unedifying. He was discovered to have been going on with various women, and to have been heavily involved with bootleggers in a disreputable manner.

His movements on the last evening were traced up to dinner time, and a man came forward to say Mr. Rivington had made an appointment to meet him at nine o'clock in a well-known fashionable club, but had not been there to keep the engagement.

Mrs. Rivington could throw no light on any of her husband's doings, or on any of his associates. All she could talk about was their domestic unhappiness and incompatibility; and that had no direct bearing on the tragedy, nor was she in any way mixed up with it. There was some vague evidence from people who had seen a car waiting for Rivington and following him, but this was quite inconclusive.

It seemed to have been a premeditated crime, one of either robbery or revenge, and after much investigation the police inclined to the theory of revenge as the motive for killing him. This generally means that a woman is mixed up in the affair, but they could not prove anything of this sort, though there were stories of his adventures, and a hint that he had got into a scrape with one girl which might have accounted for his being shot.

On the whole, however, it seemed more probable that in his undoubted transactions with bootleggers he had cheated them out of their profits.

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A bootlegger is a gentleman in a very delicate position, and if a customer has the nerve to cheat him, it can be done with impunity so far as the law is concerned, seeing that he cannot appeal to it, the whole transaction being illegal. Naturally enough, bootleggers are driven to adjust any breach of faith by the only means in their power—private vengeance. It appeared probable, almost certain, in this case that Rivington had tried some tricks, and had been shot for his dishonesty.

After a good deal of work, and the usual announcement that a "suspect" would shortly be arrested, the police slowly let go their hold and allowed the case to slip into the too-long list of unsolved murder mysteries. Whether there was something behind that the authorities hesitated to expose, or whether the police were really baffled, was a difficult question to answer. Indiscreet as it may often be to stir up trouble about a woman, it is almost more imprudent nowadays to probe too far into bootlegging transactions, as citizens of the highest respectability might easily be involved. One very peculiar thing is widespread—namely, that the said respectable citizens have plenty of liquor. The official explanation is that they stocked their cellars before Prohibition became law, but how the ordinary tiny cellar could hold many hundred bottles of whisky and other vintages is extremely puzzling.

In Rivington's case he had spirits and wines concealed on his premises, and was evidently distributing this supply to his friends. If he was foolish enough to try and swindle the bootlegging fraternity, it was asking for trouble in the form of bullets, and by making an example of a

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prominent citizen they no doubt struck terror into other buyers. Bootleggers are very well organized now, and are possibly in a position to inflict the death penalty on defaulters !

# THE DEATH OF A FILM DIRECTOR





## THE DEATH OF A FILM DIRECTOR

THIS case was interesting for several reasons. It was an unsolved mystery that always seemed on the point of being cleared up; it illustrated some phases of American detective methods; and it concerned the great film industry of Southern California, the victim being a well-known director of moving pictures, whom we will call David Thompson.

He was by way of being almost as great a mystery as his murder, and it is rather difficult to gauge how true, or perhaps how false, were the accounts he gave of himself. His real name was supposed to be something else, and he seemed to have intimated that he belonged to a very good English or Irish family, also that he was an ex-officer of the British Army.

Possibly all this was correct, and at least he had succeeded in deeply impressing the American film colony, from the producers down to the "extras," or supers. They thought him what they called a "great gentleman," and he had the reputation of being highly cultured. He was a clever director, and, judging by his portraits, was rather a good-looking man between forty-five and fifty years old. Though to English ideas he did not ring quite true, and might have been less well born than he claimed, still he was something better than a vulgar, self-advertising adventurer.

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Outside the circle of the moving-picture industry, people had not heard much of him until one morning in February, 1922, when he was found lying fully dressed on the floor of his sitting-room, and quite dead, having evidently been shot overnight.

The person who found him was his coloured servant, Henry Peavey, who "lived out" and went on duty every morning about half-past seven or so. When he arrived as usual that morning, he was astonished to find the whole flat lighted up, and on looking round he saw the corpse of his master on the ground near a writing-table.

Peavey was terribly upset, and immediately rushed out into the street, screaming for help. Mr. Thompson's flat, or apartment, was a corner one on the ground floor, with the entrance on the side street. Both the flat and the front door were easily observable by the neighbours all round, but until Peavey's gruesome discovery about half-past seven no one had noticed there was anything wrong or even suspicious.

As soon as the alarm had been given the police hurried to the scene, and the pressmen congregated in the usual way. The news made some little stir in the city, but a much greater shock was felt in Hollywood, where Thompson held a good position in one of the largest studios. At first there was a rumour of possible suicide, but from the direction of the wound and the fact that no weapon was found, this theory was negatived, leaving it certain that he had been murdered.

There were no signs of any struggle, and he had evidently been taken by surprise as he sat at his writing-table, and shot from behind. He had rolled off the chair and fallen on the floor, where

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he was found. This seemed to point to the fact that either he had not heard the approach of his assailant, or that he had been murdered by someone on outwardly friendly terms with him—someone who was talking to him, and of whom he had no suspicion, just before the shot was fired. This seems not unlikely, as it would have been difficult for a murderer to secrete himself (or herself) in the apartment, and go into this room without attracting Thompson's attention, especially as he was an alert, quick-minded, observant man. There was no other injury, such as a blow on the head, so he could not have been stunned in any way, and was killed by one rather small bullet, suggesting that the revolver had been almost of the toy description. Therefore to have correct aim and a fatal effect the shot must have been fired at fairly close range, meaning that the concealed assassin had to advance into the room without Thompson's knowledge. In addition to being alert, Thompson was evidently a man of good nerve, who would have fought hard had he caught anyone coming to kill him.

The police were able to fix almost the exact time of the murder, as this was narrowed down by the evidence of Thompson's chauffeur, who had called for orders about eight o'clock on the previous evening, and could get no answer to knocks or rings, though the whole flat was brightly lighted. It seemed perhaps rather odd that in the circumstances he did not suspect something might be wrong, but he explained that he thought Mr. Thompson was engaged with friends and did not care to be disturbed.

This curious remark was fully interpreted later on, when it was discovered that Thompson was far from being a saintly and cultured anchorite.

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It gave some people a shock to learn that he had been a man of questionable character, given to secret adventures with women, and women of presumed good reputation. It came out that he was in the habit of receiving visits from them privately, and alone at night, and that he had trained his servants into an attitude of discretion—hence the chauffeur's silent departure when the door remained closed after he rang.

Not only did these young ladies visit Mr. David Thompson, but he seemed to provide them with nightgowns. Anyhow, such garments, very daintily made of pink silk crepe-de-chine, were found among his personal effects, kept in a handy place. People were not slow to draw some obvious conclusions, and generally speaking, the pink silk nightgowns imparted a pleasant flavour of scandal to the case.

The first witness to be examined in the informal preliminary inquiry was Peavey, the coloured servant. He said he admitted a lady visitor—a film actress whom we may call Lucilla—about six o'clock, and had left her there when he went off duty before seven. He saw her car, with the chauffeur, waiting outside to take her home. As Peavey had given a general look round before going, it is rather difficult to believe that anyone could have been concealed in the flat, which was not a very large one.

Peavey's evidence brought the police on to Lucilla, and she was summoned to the office of one of the authorities and detained for some hours, undergoing a searching examination. Though there was no official report, the indefatigable journalists supplied the public with many details, probably more or less accurate. According to them, the popular film actress was

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terribly broken down and in a state of collapse. She confirmed Peavey's account of her call on Thompson, and went on to say she had found him in bad spirits—which no one else had noticed—and worried because of threats against him made by a former secretary whom he had dismissed many months before. This man's name was Sands, and Lucilla, by implication, gave him a bad character.

She left Thompson about seven o'clock or so—soon after Peavey went—and she said that the director escorted her out to her car and put her into it. As she drove off, he turned to go to his flat, and that was the last she had seen of him. Her chauffeur was understood to corroborate this story, and she added a seemingly irrelevant detail which at the same time shed a light on the habits and manners of highly successful film stars. Her motor car was a very handsome limousine, and she said she had bought a paper bag of peanuts, eaten them on the way to Thompson's flat, and dropped all the shells on the floor of the limousine. When she alighted she told the chauffeur to clean up the mess and dust the shells out. "Set beggars on horseback" was the old saying, that might be altered into, "Set beggars in a magnificent automobile, and they will eat peanuts out of a paper bag and drop the shells on the floor."

After she got home she went to bed to have dinner—a peculiar proceeding which apparently strikes film stars as being the very height of luxury and style. She expected a telephone call from Thompson, so she averred, though it seemed odd, as she had just left him, but no message came. The rest of her evidence consisted of stories of her friendship with the dead man, and other similar

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stuff that had no direct bearing on the mystery of his death.

At this time Lucilla was acting as star in a big production, that had to be stopped because of her complete nervous breakdown. She made an appearance at Thompson's funeral, and seemed frightfully upset and ill. He was buried, by the way, as a British officer with full military honours rendered by the British Overseas Club, many of whose members were ex-soldiers.

As usual, the police were snowed under with useless information and rumours, in which they could discern very few clues of any value. They followed up Lucilla's hint—so curiously given—about Sands, the former secretary, but it led to nothing excepting dissipating their attention. He could not be found, and it was practically certain that he had not been in Los Angeles for a considerable time. In fact, he seemed to have left the city when Thompson dismissed him.

It was rather strange that Lucilla tried to cast suspicion on this man, and that she at once volunteered this evidence about Thompson's nervous state of mind and fears of Sands. Thompson was not a nervous and timid person, and Lucilla's evidence as to his apprehensions was directly contradicted by another witness, an income tax expert with whom he had spent several hours on the afternoon of his death, going into his affairs and arranging tax questions. This expert, a woman, said he was in good spirits and did not show any anxiety or mention Sands or threats of any kind.

Another clue seemed hopeful—about a poorly dressed, disreputable looking man who was observed loitering outside Thompson's door about the time of the murder. He was supposed to

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be traced as having come to town in a tram, according to a conductor who thought he had seen him. But it all came to nothing, and was manifestly unimportant, seeing that murderers are not exactly in the habit of exposing themselves openly at the houses of their victims, and then ostentatiously travelling from the scene of their exploits as publicly as possible in a tramcar.

The methods of American detectives were displayed in this case, and it struck one that, though they were clever and also eager to win, they had received no special training either in criminal history or the psychology of crime, to aid them in their investigations. At least, this is the impression produced by the way in which they worked. They seemed feverishly to collect every kind of clue and any kind of evidence, and huddle the results together, with a vague hope that something useful might spontaneously emerge. At the same time, it is quite possible in this case—as in many others like it—that the police knew more than they cared to disclose or act on.

In this particular, American procedure differs from ours, as in England to-day felonies may be, and no doubt are, sometimes compounded privately, but it would be impossible to smother police investigations even if these threatened to become embarrassing to people of importance. No matter how highly placed a criminal happened to be, he would be brought into court if there were sufficient evidence against him. Somehow one gets the strong impression that this is not quite so certain in the United States, and it does seem as though there are occasions when they do not act upon the principle that justice must be done though the heavens fall. The authorities are apparently influenced by the specious argument



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that it sometimes does less harm and makes less of a mess to let a murderer escape than to "grab" an individual when the result must be to expose leading citizens—especially if a woman is involved.

The David Thompson case may not have been handled in this way, and yet there was an atmosphere about it of curious reserve at times. A good deal of money was locked up in some pictures that would have been lost if the scandal had gone much further. Perhaps it did not seem worth while to push matters to the point of unfortunate revelations in court, for, after all, the victim was not a native-born American, and possibly even deserved his fate, seeing that his character was more than doubtful. Besides this, there were women involved—at least two, and probably more.

American newspapers, however, are less trammelled than the executive, and they went on enthusiastically looking for the man or woman who shot David Thompson. So did the police—but less recklessly, as it were, though they seemed active. One journal, indeed, went a little too far in its inquiries and roused some public feeling against its methods. The reporters of this paper thought up a highly original coup: they seized the dead man's coloured servant one night and took him to his master's grave, where someone dressed up to represent the late David Thompson was waiting.

They reckoned on the negro's nerves giving way at the sight of his dead boss, and perhaps leading him in a panic to betray himself, or let out evidence damaging to Lucilla. But they were disappointed. Peavey took the ghost with matter-of-fact calm, and there was nothing doing. The apparition must have felt very cheap when the

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black man was not in the least frightened, and in the end the newspaper got laughed at for its pains.

Any paper in Britain that kidnapped an important witness, took him to a cemetery and tried to intimidate him with a sight of the murdered corpse's spectre, would certainly get into trouble, and probably the editor would find himself in prison, but there is more latitude allowed the Press in America.

There were disagreeable people who thought that the ghost would have had more effect if it had been exhibited to Lucilla instead of to Peavey. As it was she broke down very seriously, perhaps under the strain of a great deal of undesirable publicity. She shared this with several other young women who had been friendly with David, but for the moment she seemed to be his favourite. Peavey gave some evidence to this effect, saying that she was always to be admitted when she called, and that she dined with his master several times. Her portrait, too, was found in a little frame with "To My Dearest" engraved on the lower edge. It looked rather a battered little frame, as if Thompson had taken it about with him on his travels. Probably Lucilla's likeness was not the first "Dearest" whose features it had surrounded!

Whether Lucilla loved him very much was not certain, but another young woman—to be mentioned as Juliet—certainly adored him, and was not at all reticent on the subject, though Peavey gave testimony that she had been snubbed, and that he had orders to say his master was out when she came, also to be extremely discouraging on the telephone when she called him up. Juliet was not an example of "a woman scorned," for

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she had persisted in her crazy affection for Thompson, and evidently bothered him a good deal even after he had practically thrown her off. Eighteen months after his death she passionately told the story of their attachment to each other, as she described it.

She first knew him in the East, when she was in New England making a picture, and she at once fell under his influence, because he did not treat her like a child, though she was only seventeen. (As a matter of fact, she was about ten years older!) They became friendly, but her mother interfered, and before long Thompson left for California. Juliet and her grandmother went after him, and they "had a glorious reunion."

But her cruel mother followed, and Juliet declared that she was forbidden to speak to Thompson, and he was forbidden to go to their house. It seemed more likely that he had stopped going of his own accord, and that Juliet invented this prohibition to account for his absence without having to admit that she failed to attract him.

"Marrying Mr. Thompson was my dream," she said to the reporter, "a dream which, when voiced to him, always met with the answer that it was impossible. Finally he told me I must not write him any more, and must not call him up—that he would telephone me. I waited a week, two weeks, three weeks, and he did not call. I swallowed my humiliation and called him. His butler answered and told me he was ill. He was too ill to talk with me."

This entirely fitted in with Peavey's evidence about being ordered to choke Juliet off. After that episode, Juliet and her mother went to Europe, and on this trip Juliet met a major who told her yarns of the World War. One was a

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very thrilling tale of how a man had saved his life, crawling through the lines amidst the hail of shells and in the glare of flares, and picked him up and carried him back to the English lines. In doing this gallant deed, the rescuer, a British captain, "had run into some barbed wire entanglements, and cut into the muscles of his stomach, but despite this dangerous wound he kept on and on."

" 'Who was this man?' I asked the major.

" 'He is in America; in Hollywood, I believe. He is a picture director; David Thompson is his name.'

"My heart came into my mouth. I could have screamed for joy," commented Juliet. "It was my beloved."

Juliet had probably seen something like this on the screen, since it is only in moving pictures that a hero can be so gorgeously heroic as to crawl through the lines with shells falling on him, and flares lighting up his progress towards the wounded man. Nowhere on the real battlefield, but easily on the "movies," could he pick up and carry the said wounded man back through the shells and the flares to the British—or preferably American—lines, especially after his little mishap of running across barbed wire entanglements and cutting into the muscles of his stomach. Juliet revelled in his courage, keeping on and on despite his severed abdomen.

She admitted that Mr. David Thompson had never mentioned this trivial little incident. It showed his sense, for it was rather the kind of tale not to be told to anyone who knew what the war was really like.

Early in December—less than two months before he was shot—she worried him into making an

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appointment. But when she and her grandmother went to call on him at the time arranged, there was no one at home. She was heart-broken, but not irritated, and twisted one of her little golden hairpins in the keyhole, so that he would know she had come. "No word from him, no telephone call."

Then she went shopping and saw him in the next aisle. "He smiled so sweetly, bowed and was gone." She nearly fainted, she was so dazed. But in spite of all, she knew he loved her! A few nights afterwards she went to him, and taken by surprise, evidently not expecting to see her, David himself opened the door. His greeting was hardly effusive. He only said that it was quite late, and she agreed it was nearly midnight, but that she must see him. So she pushed past him into the sitting-room, and noticed the furniture had been moved; but two of her pictures still hung on the wall, whereas there was only one of Lucilla.

Thompson was much upset. "He trembled and seemed to grow old, standing before me. Perspiration covered his brow." But after a little fuss he put his arms round her, kissed her, and told her—in response to an impassioned appeal—that he loved her better than anything in the world, and more than God. Then he promptly turned her out, led her to her car, and helped her in.

That was the last time she ever saw him alone, though they met at the studio. Soon after this came the news of his death, and Juliet's account of how she received it was somewhat quaint. She was standing in her undergarments before the mirror, doing her hair, when her mother pounded on the door, and asked to be let in.

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"I told her I wasn't dressed. I told her she must wait until I got into a dress, and then I opened the door."

This to her own mother! It seemed like misplaced delicacy in a film star, considering how they exhibit their persons nearly naked while being "screened" in a crowded studio to be shown to the whole world. But it was a great occasion, and Juliet was determined to pose as the finest sort of heroine, so she could not admit that even her mother saw her in undergarments. It seemed somehow to make it more gloomily tragic.

"David Thompson has been murdered," said Juliet's mother. "He was found dead in bed this morning. Where were you last night?"

"I was here, of course," Juliet replied, hardly realizing what she was saying.

Then Juliet "grabbed a hat, a wrap," and began to look for the keys of her car. Her mother asked where she was going, and she said, "To him, of course." When her mother tried to stop her, she said wildly, "I am going to him if I have to throttle you to get past."

With this dutiful speech, she pushed her way out and drove to Thompson's flat, where she found newspaper reporters, officials and other people carrying away books and papers. She demanded to see him, and was told he was at the undertaker's! So she hurried there, and was refused admission because they were apparently conducting the post-mortem examination and trying to find the bullet. Even so, she persisted that she must see him, and was told that she could not be allowed to do so until after the inquest—it was against the law. Finally they promised that she could see the body the next day at noon, and she drove off to interview Lucilla.

"I was frantic," she said. "Without ringing the bell, I went in. There were reporters in the parlour waiting for her. I rushed upstairs. She was dressing. I grasped her by the shoulders, shook her, and looked straight into her eyes.

"What do you know about it?" I asked.

"Nothing," she answered simply. "Not a thing but what they have told me."

"And I believed her," said Juliet, with equal simplicity, eighteen months afterwards, "and still believe her."

"The next day I went to the undertaker's," she continued, "and they let me in all alone with him. I pulled back the sheet and looked at him.

"But he was not the same. His skin was waxen. I leaned down and put my arms about him, my cheek to his. His face was cold, so cold, but not cold like ice.

"Do you love me, David?" I asked. He answered me—I could hear his voice: "I love you, Juliet; I shall love you always," he whispered.

"I kissed him and put a red rose in his hand from some I had brought with me. The door opened—the undertaker was there. I went away."

In telling this version of her connection with the case, and mixing some real infatuation with histrionics, Juliet had posed as a young girl of barely twenty, which, of course, made it more touching and pitiful; but just then her father—a proof-reader on a Texas newspaper, and a prosaic person—revealed the fact that dear little Juliet was "all thirty." His testimony was good enough as it stood, and it was corroborated by one of her former admirers, who said he had been going

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round with her when she was eighteen—twelve years back.

This was too much for Juliet. She “beat it” into retirement after that, and no longer shone as a three million dollar star. It rather cleared David Thompson’s memory in this particular instance that the poor little shivering lamb, victim of his baleful fascinations, should turn out to be fully thirty years old. But, weep and pose as she would, Juliet could not wrest public interest from Lucilla and wrap it round herself. It was in vain that she threatened to squeeze her mother’s windpipe—“A scene,” said the scooping reporter, working up the sensation for all it was worth, “not depicted in cold words; a thing that needs Juliet’s tears, Juliet’s drama, Juliet’s hands to tell. Juliet, gentle little Juliet, leaped at her mother and threatened to kill and choke her. ‘I see two white spots on your throat,’ she screamed, ‘and if you don’t get away I’ll dig my thumbs into them and walk over you to him!’”

But the public declined to be “emoted” even when letters of Juliet’s were found among the dead man’s papers, letters all fire and love. Several photographs of her were also discovered, and were sold in the auction of his effects, one picture with a loving inscription in Juliet’s own scrawl fetching three and a half dollars.

In the course of the inquiry it came out that David Thompson had been married, that his wife had divorced him and kept the custody of his daughter. This daughter now became his heiress, and at first his estate was said to exceed 100,000 dollars, but it speedily declined to 20,000 dollars, and may not have been so much.

Lucilla talked far less than Juliet did, but



certain circumstances cast a shadow of suspicion on her ; and after she had pulled herself together and finished the picture in which she was starring at the time of the tragedy, she went over to Europe to see what a change of air and publicity would do for her health and reputation.

It is the practice of film stars, and even of society people, to send back to their native haunts very remarkable accounts of their adventures in Europe ; and Lucilla, or her publicity agent, kept up the custom. Lucilla was described as taking London by storm, and staying with the " British nobility " at their country mansions. It did not go down as well as usual, and the Los Angeles attitude was rather sceptical and sour, seeming to hint that if the British nobility were really entertaining Lucilla at their country mansions, they had not much sense. Perhaps the best effort of her publicity man, and certainly his highest flight, was the story that Lucilla had been invited to Buckingham Palace, and would have been received by the King and Queen, but they were in mourning for Sir Henry Wilson (who had just been murdered), so the interview had to be given up.

Assurances also came through at intervals that Lucilla was a true American, and, in spite of all temptations, would never, never stoop to marry a British lord. In a moment of carelessness it leaked out that the British nobility (who had been glorifying Lucilla and were honoured by her acceptance of their hospitality) had dwindled down to a music-hall comedian, who seemed to have entertained the film star at his somewhat modest cottage in the country. It was difficult to trace any—even the faintest—foundation for the story of the Royal reception, so probably

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that was a flight of pure imagination, suggested by a sight of the "King's home," as it is sometimes called by Americans. Very likely the publicity man saw it in their drive round London, sight-seeing, and he thought: "Gee! great stuff if I cable that Lucilla was accepting a bid to see George and Mary when those Irish guys shot Wilson! I'll do it." American publicity agents are certainly clever and full of resource.

But all these efforts were more or less wasted, and Lucilla returned to find opinion still divided about her, almost against her. It cannot be denied that there was colour for the surmise that she knew something about the film director's death. Even according to her own account, she was the last person to see him alive; and this was between Peavey going off duty shortly before seven o'clock, and the chauffeur calling for orders before eight. She lived within ten minutes' drive of Thompson's flat, and did not get home until about eight—showing that she had not left him more than a very few minutes before he was shot. Although she claimed that he put her in her car, and then returned to his rooms as she drove away, there was no satisfactory proof of this assertion, and her driver's corroboration was, for several reasons, not wholly convincing.

Her behaviour all through the inquiry was rather odd, taking her temperament into consideration, and it was difficult to account for her complete collapse, as it was not suggested she was so warmly attached to Thompson that his death should shatter her in this extraordinary manner. All the available evidence went to suggest that the affection was on his side rather than on hers, and that he was pursuing her partly because she did not fall such a ready victim to

his wiles as some other young women had done—Juliet, for example.

Quite recently Lucilla was mixed up in another shooting affray that did not end fatally, but nevertheless suggested a train of thought. She was at a party given by an oil millionaire, and, according to one version, her chauffeur called for her, made certain observations, and advised her to leave immediately. There was an argument, and the man told her if she stayed any longer at this party he would quit her service.

The millionaire intervened, and there was a scrimmage, in the course of which he hit the chauffeur over the head with a champagne bottle, whereupon the latter discharged a pistol at him. A revolver that was found belonged to Lucilla, and the police alleged that the cause of the shooting was the chauffeur's infatuation for Lucilla and jealousy of her millionaire admirer. But at the subsequent trial the chauffeur was acquitted, and no further light was shed on a possible idea as to how David Thompson came to his end.

## CRIMES OF WOMEN



## CRIMES OF WOMEN

WHEN De Quincey headed an article "Murder as a Fine Art," it was looked upon as rather daring, and attracted attention. Yet some of his humorous quips are seriously accurate in the United States to-day. That is to say, unless there is something uncommonly horrible, romantic or mysterious about it, a murder in God's Own Country is apt to be (unconsciously) regarded as disappointing, especially if committed by a prosaic male criminal. The other sex excites more interest, and the mere fact that a woman has slaughtered someone is almost of itself sufficient to make her prominent—until another female slaughters someone else !

The public does not generally have to wait very long before this happens, and one blood-stained "heroine" ousts another in the papers ; consequently as soon as a tolerably attractive murder comes along, everyone hastens to make the most of it while its fresh charm lasts.

It is a little difficult to select the best examples of this fine art from the numbers of feminine cases, but perhaps the crime of a so-called nurse had unusual points about it. There was also a wholesale poisoning conspiracy, a distinctly gruesome slaying near San Francisco, and a few other murders with original ideas qualifying them, all occurring about the same time, and all setting

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forth problems connected with the criminality of women.

To take the nurse's case first. Her crime was committed in rather an unusual place—Kansas City, Missouri: unusual in the sense of this township not being an habitual scene of homicide. It is quieter than some other cities, and its record appears to be slightly below that of Chicago, for example; at least, one gathers this from the circumstance that it is never quoted along with Los Angeles, Chicago, or New York City as being immoderately notorious for murders.

The first that people heard of the nurse's exploit was conveyed in a report headed:

“Man is Slain. Girl Wounded.

“Romance Ends in Tragedy in Kansas City Hotel.

“Woman Expresses No Regret at Her Action.

“Found He was Married and Fired Shots.”

Having stimulated attention in this way, the reporter went on to say that a romance which sprang from the war and a mutual interest in Esperanto, of all subjects, had ended tragically for the man, Frank Anderson by name, and the girl, Peggy Marie Beal, a nurse, of Dayton, Ohio.

Other guests in the hotel heard two shots in the early morning, and called the police, who found the room locked, and climbed in through the fanlight, or transome, as Americans call it. Here they discovered Anderson lying dead in bed, having evidently been shot while asleep; and the woman who killed him was on the floor, with a revolver beside her. She was in her nightgown, and had a bullet through her left breast.

In the room they found a novel by Edgar Rice Burroughs, which seemed to have suggested the idea of the murderess, as it was open and the

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page turned down at an illustration of a dancer standing over the prostrate form of a man and holding a dagger in her hand.

Miss Beal, the nurse, was removed to the General Hospital, and the first diagnosis was that her wound through the left lung seemed likely to prove fatal.

With this bright start, the journalists and authorities made the usual investigation and unearthed much material. In the first place, Anderson and Miss Peggy Beal had lived in the hotel as man and wife for some days, and there were letters found showing he had met her when he was a lieutenant in the Signal Corps in the East. The courtship had begun in an Eastern hospital, and their letters to each other contained frequent passages in Esperanto.

After the war, Anderson had worked in a dry goods store at St. Louis, and had been in Kansas City for three months. It appeared from the letters that the couple were going to be married, and the date arranged for Miss Beal to arrive in Kansas City was about two weeks before she shot him. It also appeared from Anderson's application for work, filed in the dry goods store where he had been employed, that he was thirty-three years old, and was married. His wife was supposed to be in St. Louis.

As soon as Peggy Beal recovered consciousness and was able to speak, the police secured her statement of what had happened, and, of course, passed it on to the press. She expressed no regret for her deed, and said Anderson admitted that he had a wife—after bringing Peggy over to Kansas City to marry him.

Though Anderson had posed and been accepted as a sort of war hero, he had not been overseas,



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but had travelled extensively in the States, promoting Liberty Bond campaigns, and had written an article for a magazine, coining the phrase "Liberty bombing" to describe the service of the aviators who helped in the drives.

After a couple of days' suspense, it seemed highly probable, if not certain, that the interesting young murderess would recover. On hearing this, she turned her face to the wall and said she wanted to die, and then turned round again and beckoned to a nurse to come nearer.

"I am not sorry I shot him," she said. "He deserved it. I did right to shoot him. I should have killed him before I did."

Meantime her victim was lying in an undertaker's parlour, and his cold remains were being visited by other women, who might have been his friends in life or might be merely morbid sight-seers, anxious to view a murdered man. Miss Beal said bitterly that he boasted of his conquests, remarking to her that he "was a devil and loved no woman." At the hotel, the night after the tragedy, a woman called through the telephone and asked for Mr. or Mrs. Anderson. When told what had happened, she screamed with horror.

"Dead!" she cried. "Oh no, I can't believe it!"

Later on she went to the undertaker's, and was allowed to see the body. She gazed at it a long time, and shuddered. "How could she?" this woman exclaimed. "What devils women are!"

Letters from his father to Anderson disclosed the fact that another woman besides Peggy Beal was on his track, vowing vengeance on his faithlessness. One such letter, found in the room where he was killed, ran in these terms:

"I want to warn you to be on your guard,

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for we all love you, and I don't want any harm to come to you. I heard from B——, and that'she was starting for the Middle West. She swore she would find you if it took years, and she would do all the harm she could. You remember her threats twice for things she could prove."

This might have referred to Anderson's wife, an Indianapolis girl, called Opal West, whose pet name was Babe. Anderson's father admitted that the couple had violent differences, but all the harm she threatened was done before she could trace her husband, and another woman saved her the trouble and scandal of despatching him.

It came out, rather pathetically, that he had greatly prized his Army experiences, the one streak of adventure and romance in a dull, workaday existence; and that, though he was denied any active service overseas in France or Flanders, he made up for the lack of it and solaced himself by writing stories on the subject. These fictions revealed the workings of his mind, and threw rather an instructive light on his character and aspirations.

In one tale the hero was an Army aviator who achieved undying fame during the Great War, and fell in love with a girl who scorned him because of his father's wealth. She fled to the South Seas to escape from him, but he found her at last, living there, and they ruled together in a fairy kingdom of romance, tropical beauty, and unfading love.

Carrying these ideas into real life, he wrote to Peggy Beal of the possibility of a honeymoon in the South Seas, with mellow moonlight and eternal summer. Those were his dreams. The reality for the poor man was grimmer—a bullet

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through his head while he slept in a prosaic Mid Western hotel.

Further inquiries revealed that he had been a quiet, well-behaved young fellow in his native place, a handsome young ex-officer who was usually seen canoeing with his wife in the evenings and on Sundays. He had the same steady reputation in Kansas City, and seemed reserved and interested in his work, and also in motor cars and tennis. His deranging love of romance and adventure was apparently concealed from his ordinary acquaintances.

The journalists were busy working up the interest when presently a little too much was discovered ; but this time it was about the " angel nurse " whom he was supposed to have ruined. " The curtain of mystery," as they called it, behind which Peggy Beal had hidden was partly lifted by a doctor at the sanatorium where she had been first a patient and then a nurse. Unfortunately for the halo of romance round her, it also came out that, far from being a confiding maiden, she was a married woman with a child of four years old. This child was with her until she got into a panic, fearing she had tuberculosis. Then she left it with her father in Ohio, and went to the aforesaid sanatorium.

Somehow these details destroyed the glamour of her position, but she continued to receive letters of sympathy and admiration for her " courage and good marksmanship," addressed to her in the hospital. Considering that she had shot a sleeping man at close range, it did not seem to show either courage or good aim, yet many people praised her for her performance. One letter was signed jointly by a local doctor, his wife, and a nurse ; and another ran : " Our sympathy is

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yours. The world needs more girls with the courage and wits to shoot straight. We regret, however, that you shot yourself. There is plenty to live for. The stars are up there yet, and the flowers bloom the same as ever."

What manner of persons could these be who glorified a cowardly murder, and added this nauseating sentimentality about stars and flowers? A good many did this; but so far as the papers were concerned, her story stopped there, as the bottom dropped out of it after it was discovered that she was a married woman.

She evidently heard no more from the authorities about her crime, and was never punished. Her portrait showed a pretty but hysterical-looking woman of quite thirty summers, with staring eyes that suggested nervous or even mental upset.

The next crime to be considered was more cold-blooded and repulsive than Miss Beal's exhibition of what her admirers called courage and good marksmanship. It went rather beyond the sympathy of the average slushy humanitarians to learn that two women in Chicago had run a sort of poison conspiracy and had disposed of fully twelve victims, or so the public believed.

These women's names were given as Mrs. Tillie Klimek and Mrs. Nellie Sturmer-Koulik, and they were formally charged with many murders. Their method was to give poison in ordinary food; and the prosecution had reason to think that these two belonged to a "murder trust" composed of women who "carefully worked out diabolical killings, chiefly to rid themselves of husbands who were carrying insurance."

According to the authorities, it was quaintly said that this appeared to be "the first

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to cases of capital crime, or, in other words, the very cases where the change was urgently needed. It is practically certain that with a "majority verdict" quite two-thirds of these homicides would be convicted who get off at present; and if they were adequately punished as well, it is reasonable to hope that murders would diminish. Not only in this Koulik trial, but in many others, it was a matter of common knowledge that an important majority of the jury was for conviction, and their verdicts were overruled by the hysteria of an insignificant minority—with disastrous results to the social fabric.

Another case seemed interesting from the very unusual circumstances connected with it. Perhaps it was just a little too ghastly to be reckoned as a "fine art" murder in the De Quincey sense, but it had a touch of originality about it, that placed it in a class of its own. The motive for the deed was also out of the ordinary run, and so was the means by which death was inflicted.

The scene of the occurrence was a ranch in Northern California, not far from Sacramento, the capital of the State. The ranch belonged to Mrs. Belarde, who was a member of a prominent Sacramento family, and she and her husband, Louis Belarde, lived on it, and kept a pack of eighteen large dogs. Apparently quite near the Belarde's place was the antelope ranch of a neighbour, a man named Biese, and it seemed that they did not get on pleasantly together. Early one morning Mr. and Mrs. Belarde had a quarrel with their neighbour, and the same day Biese's naked and badly mangled body was found mysteriously on a cot bed in his ranch house.

The Belardes were both arrested in connection with his death, but the main suspicion rested on

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Mrs. Belarde, as was shown by the police examination. The woman at first denied all knowledge of the affair, but broke down the following morning and confessed she had had a quarrel with Biese. She said he struck her over the arm with a club, and then her dogs attacked him, inflicting severe injuries. She dressed his wounds and took him to his house, meaning to remove him to Sacramento for medical treatment, but failed to do so because her husband's car was out of order.

This story was perhaps the best effort she could make in her agitated state, but it was barely plausible and did not hang together. The deputy district attorney said he was convinced that she was not telling the truth, after he listened to the account of how she carried Biese into his cabin. For one thing, she could not explain why he was quite naked, or the strange fact that some of his clothes were found hanging on a fence between the two ranches. It seemed absolutely incredible that she had carried a naked man into an empty house, and then left him alone there in that state without any help or attendance. Besides this, the appearance of the body betrayed the manner of his death, as it was horribly mangled and had the marks of dogs' teeth on it.

Driven by degrees into a corner by the legal examination, Mrs. Belarde at last gave up and confessed the terrible truth—namely, that her pack of eighteen dogs had torn Biese to death, and the date of the tragedy shifted from Tuesday morning back to Monday night. According to this amended version, she met Biese at a pump midway between their houses, and he objected to one of the dogs being there. This caused a violent altercation, during which she threatened—if he

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complained of her dogs—to tell of a “still” that she alleged he had in his barn.

This threat angered Biese, and he struck the dog with a club, and then hit her. On this, said Mrs. Belarde, part of the pack rushed at her assailant and knocked him down, and when he was on the ground began worrying him. Mrs. Belarde called her husband, and this call brought the rest of the dogs, and they also “piled on the man,” as she expressed it, though it is difficult to see how eighteen large dogs could find room on one limited human carcass to be all biting at once.

Mrs. Belarde declared that she and her husband finally forced the dogs off their prey, carried Biese home to his cabin, and washed and dressed his wounds. This story advanced the affair a step, but was not wholly satisfactory to the authorities, seeing that it did not explain the very peculiar circumstance of Biese being found not only dead but stripped to the skin. Surely, they argued, if the Belardes were anxious to save him, after dressing his wounds they would scarcely have left a dying man without any covering, and without reporting his condition.

Then again, in addition to the mauling he had suffered from the dogs, there were traces of blows on his head, arms and legs. The plain inference was that there had been a row, probably about the dog in the first place, and that the Belardes had attacked Biese with a club, and then set the dogs on to finish him. These animals tore and bit him until he was dead, and then left him, and the Belardes carried his mangled remains to his ranch cabin. It was a mystery why they should have made such a stupid mistake as to strip him, and hang some of his clothes on the fence. What

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seemed practically certain was that Mrs. Belarde had murdered him by means of the dogs ; and if she and her husband had carried him over to his place and left him somewhere on the ground with his clothes on, it would have looked as if he had had some trouble with the pack and been torn to pieces. Even if the story had sounded unlikely, it might have been accepted, because it would have been impossible for anyone to disprove it.

The police seemed quite convinced that Mrs. Belarde was the criminal, as they took her, and not her husband, to the scene of the alleged murder, to reconstruct the occurrence for the official inquiry. When she got near her house she jumped out of the car and rushed indoors to the room where the pack had been confined. Twelve dead chickens were lying on the floor, but had not been eaten except for two heads which were gnawed away.

Mrs. Belarde was allowed to caress and fondle the dogs, who seemed very glad to see her, and crowded round, barking and whining.

"Men don't understand a woman's love for dumb animals," she told the prison matron later on. "I would give my life for those dogs, and they would die fighting for me. Other people don't understand they are more to me than my husband and brothers."

With reference to the death of Biese, she declared that the dogs protected her, and she wanted to protect them. It would have been wiser for her to say less, as these sentiments evidently exasperated the police authorities, and after she was safely lodged in the county jail, the county humane officer went to her ranch with shot guns and killed the whole pack of eighteen



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dogs—let us hope humanely. It was quite against public opinion to let dogs live who had destroyed a human life ; and yet they had only obeyed orders and done their duty, from their own honest doggy point of view. Still, they had to be sacrificed, and probably exterminating them saved Mrs. Belarde. No more news of her reached the general public outside Northern California, and it is doubtful if she was ever brought to trial. It would probably have been no use, as any jury would have disagreed as to a verdict, and blamed the dogs for causing Biese's death, though the evidence pointed to the certainty that they had been instigated to attack him.

One interesting little point the journalists were silent upon—namely, what Mrs. Belarde said and did and how she took it when the authorities broke the news that her precious dogs, dearer than husband or brothers, had all been massacred by the hand of the county humane officer.

It is not likely that her methods would find many imitators, as it is easier for women to shoot or poison than to keep packs of hounds on the chance that they might be useful in removing disagreeable neighbours. Still, the underlying idea of employing animals to commit murder is somewhat original, and has possibilities of weird developments. But it must be repeated that Mrs. Belarde was not a clever woman, or she would have left it to be supposed there had been a dog fight, ending in Biese's death ; and she would never have started to tell an almost impossible story, that a very little examination shattered.

To round off these crimes committed by women, one might quote a little list given at Los Angeles in the sweet summer days of 1922. It began by remarking that for some time women had taken

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a prominent part in murders in Los Angeles County, California. In addition to the two great public favourites and queens of crime, Madalynne Obenchain and Clara Phillips, there were in a few months the following murders, set down with their motives, and the fate of the murderesses :

On January 6th, Elizabeth Rannion was tried as an accomplice of her husband in murdering James Brisham. Her husband got a "sliding scale" sentence of from ten years to life, and she was acquitted.

On January 31st, Julia Johnstone killed her husband for taunting her. Tried, sentenced, and freed on probation.

On February 19th, Alla Ranshaw killed Bobby Williams, a girl in spite of her manly name. Jealousy was the motive, and Alla was held for trial—very loosely, it appeared.

On February 22nd, Marie Crockett celebrated George Washington's birthday by killing her husband for threatening her. Held for trial.

On April 3rd, Mabel Boyle killed her husband. Motive, jealousy. Held for trial.

On May 13th, Rosina Salino killed Thomas Pigyo for alleged assault. Pardoned by Governor.

On June 13th, Helen McClung killed Mrs. Margaret Hagan for putting poison in a letter. Pleaded insanity.

This was not a complete list, as a little further back Mabelle Roe killed McCullough Graydon. Tried twice and convicted. Then granted a new trial that was pending. Also during this period or a little earlier, Edith Lundberg killed her lover. Pleaded insanity and was shut up for a short time, and then released as sane. One more case may be added, that of Mrs. Louise Peete, who killed Jacob Denton. For a wonder, she was

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convicted and was serving a life sentence, which generally means release on parole (or probation) in a year or less.

With the two queens of crime, this runs up a list of some eleven murders in about a year, in a corner of California. Chicago, New York City, and various other centres could furnish similar statistics, from which it would appear that women are indeed taking a prominent part in murdering nowadays. Rather unexpectedly, most of these women were young, and, judging by their portraits (when given), were good-looking, some of them being very attractive in appearance, without any savage or brutal characteristics.

The only marked exception to this rule was the likeness of Meda (it should have been Medea) Hodell, who murdered her husband and her husband's father about the time under consideration. She was not a Californian, but a Chicago "heroine," only twenty-six years old; and if her portrait was not libellous, then she was indeed a most sinister and repulsive-looking young woman. Her sentiments did not belie her looks, for she said jauntily that the commandment, "Thou shalt not kill," was unknown in their happy home.

"We never had time to learn anything about religion, as we were too busy earning a living and trying to get our rights," she continued; and then related, without remorse or any vulgar display of feeling, how she poisoned her father-in-law on February 4th, and killed her sleeping husband on May 6th.

She was helped in this by her mother, and ruthlessly did to death the man she had married only a year before. There was a certain amount of finesse and elaboration in her methods, as after her unlucky husband was dead she got

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her brother and a farm hand to hang the body to a rafter, in an attempt to make it appear that Hodell had committed suicide.

So far as outward appearance went, this woman, Meda Hodell, dark, sinister and repulsive, was by far the most murderous looking of the whole list. Her features and expression strongly suggested that she was a homicidal maniac. But in the main, looks are an unsafe guide, as some of her sister criminals had a sweet and girlish aspect, and yet were not much behind her in murderous cruelty and wickedness. Some even excelled her.

This problem of the growing criminality of women is a serious one for the United States, seeing that Americans hate to punish the fair sex. One of the few instances of a woman being hanged was when Mrs. Mary Surratt expiated on the scaffold her complicity in the assassination of Abraham Lincoln. If she had only murdered her husband instead, she would have been in no danger !



WHERE THE SUN SETS



## WHERE THE SUN SETS

It is sometimes thought in Europe, and even in Britain, that Americans have no gift for self-criticism and never do anything except brag. This is an entire mistake, for on occasions Americans will review themselves and their country with an energy of expression that goes beyond our milder growlings over our own British shortcomings. In fact, they are rather like those mysterious jugs that conjurors used to puzzle their audiences with—the kind that poured out tea or milk or beer as required. They will fiercely denounce political and other conditions at a meeting, and then lift up their voices in the “Star-Spangled Banner” at the close. And in almost parallel columns will be printed accounts of their “national infamy and dishonour” alongside of perfervid patriotism declaring the United States to be the most prosperous and finest place on earth—which, be it noted, it is in many ways.

This admirably candid spirit is not wholly absent even from the land of the loudest, proudest “boost”—in other words, South California; and the newspapers of Los Angeles, the beautiful City of Our Lady of the Angels, have a kind of moral field day and grand review of their local vice and crime. They discover periodically that all is not well in their prosperous township, and they proceed to state the facts with remarkable vigour.



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No stranger or alien resident enjoying their hospitality would venture to say one-tenth as much, but as they have said many mouthfuls, themselves it is permissible to quote from; and comment on, their views on the subject. This is not done in any disagreeable spirit, but because of the anomaly that seems worth studying—namely, that Los Angeles is one of the most prosperous and progressive cities in the whole of the United States, and it is at the same time one of the most criminal and law-breaking. It is passing strange this should be so, seeing reformers are so fond of saying that poverty is the main cause of crime. Perhaps they are wrong.

Let us begin our study with a glance at a trenchant article headed, "The Dishonour of Los Angeles."

"Los Angeles," said the writer, "has three times as many murders in proportion to population as New York, and two and a half times as many as Chicago."

This calculation had been worked out by Judge Gimmell, of Chicago, and was published in the *Literary Digest*, an excellent magazine of the popular type which circulates in all the States. "If the balance of the year 1922 equals January and February of this year," continued the learned judge, "Los Angeles will lead all other cities in the number of burglaries and housebreakings. She is not even closely followed by any other large city." But he admitted that his own city of Chicago came second on this roll of dishonour.

"No citizen can read such an indictment unmoved," was the Los Angeles comment on Judge Gimmell's undisputed statistics. "Each and everyone of us must feel the shame of it. We are very ready to proclaim ourselves a much

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blessed city, and not without cause. But superior blessings exact greater responsibilities, and the incontrovertible doctrine of *noblesse oblige* demands that we be worthy of our blessings.

"Nor will this shameful dishonour be combated by secret societies and melodramatic Ku Klux Klan activities. This is no condition that can be met by sporadic play-acting, by black bogeys and childish spookiness. It requires a great united citizen movement, a stern and serious renaissance of that public spirit and public conscience which made this country great. It requires unimpeachable judges, sagacious and responsible juries, irreproachable lawyers, a capable and honestly conscientious police department, swift and efficient law enforcement, and certain punishment. It demands the adequate and complete co-operation of the public in every department. It demands the prompt shedding of the apathetic or the mushily sentimental attitude."

This summed up the situation admirably, and another article chastised the unfortunate American habit of going about armed with revolvers. "Not alone every sneak thief and professional robber, but half the people you know, are potential murderers, own a death-dealing weapon, the sole purpose of which is man-killing."

These weapons are so cheap and so easily obtained, "so available," went on the writer, "to any and every despicable impulse or unbalanced temporary fury that their possessors may experience. Police permit or no police permit, the murderous death weapon can be purchased with infinite facility."

Commenting on various recent shootings, the writer noted that even when the police permit system was in operation it gave small protection,

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seeing that a woman who shot her employer dead had secured a police permit for her gun. In some other cases there was no evidence to show that police permits were issued, but in spite of this the murderers all had revolvers. "Either way the possession of these guns was a cheap and easy consideration. Either way the result was blood, murder, death, shameful violence. And this is the United States where we live. This, as Senator Hiram Johnson proclaimed to an applauding crowd of ardent patriots, is 'the most civilized, the most prosperous, the richest and most moral nation on the face of the earth.'"

Senator Hiram Johnson, of California, made that speech with presumably full knowledge of the condition of the United States in general and California in particular. In some ways the most civilized, in every way the most prosperous and richest (in money) of modern nations, it would be difficult in face of statistics of crime for Hiram Johnson, or anyone else, to maintain that it is the most moral nation, or even the nation where life and property were safest on this planet. Certainly neither life nor property could be considered reasonably secure in Los Angeles, according to the somewhat startling police records for May to July, 1922.

These figures refer to a population of not much over six hundred thousand, living in a perfect climate, under almost unique conditions of expansion, progress and opportunity. In May there were 8,814 arrests, and the following were what the newspaper called the "high spots in the tabulation":

From January to May, in five months, the arrests totalled 36,038. There were 4,039 "drunks."

Felonies in May rose to 534, and there were

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also more drunkards caught than in any one month since March, 1918, and 852 imbibers were seized.

From January, in five months, there were 3,667 burglaries, the largest number for the time ever recorded by the department. Burglary is a favourite crime in Los Angeles! It happens mostly in ordinary residences, for out of the above three thousand odd cases, over two thousand were "private," hotels and flats coming next with about a thousand "burgles."

"Hold-ups" for the five months broke the records, with 446 cases. This means robbery from the person, always with threats and often with violence.

There were 40 murders in the five months, an increase of 17 over the same period in 1921.

Suicides and attempted suicides nearly equalled the murders, being 38 as against 40, 25 men and 13 women. This showed that people were almost as ready to kill themselves as to slay their neighbours, though for somewhat different reasons according to the causes given for what is generally called "the rash act." Curiously enough, ill-health was the leading cause of self-destruction, nine persons having broken down under it. Five were upset by family quarrels, one by financial trouble, one by a love affair, one by insanity, one by trying to evade the law, and six by drink. In the remaining 14 cases the motive for suicide was not discovered.

The yearly report, published in July, did not improve the outlook, as the record showed an exceptional increase in crime over the fiscal year of 1921. Apparently there was also an increase in prosperity, which ought to have diminished law-breaking.

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For the year under consideration, ending in July, 1922, there were seventy thousand or more arrests, and the papers remarked that the city seemed to be losing its right to its Spanish name. A certain number of arrests were for mere misdemeanours and minor offences, such as dealing in lottery tickets. But there were enough serious offences against the law to make reasonable citizens ask why crime should flourish so rankly in conditions supposed to be unfavourable.

Traffic arrests reached the impressive total of 28,252, and some persons were inclined to hint that fully as many again ought to have been arrested, and escaped.

There were eight thousand "drunks" in the year—a pretty commentary on the working of Prohibition.

This was all bad enough, and the worst of it was that it did not represent the total amount of crime in the fair city of Los Angeles, but only the units who were caught. One gathers there was no record of the crimes that were not followed by arrests, and, judging from reports in the newspapers, it would not strain probabilities to suggest that the list of these would be a formidable one. In "hold-ups," burglaries, thefts of cars, murders, blackmail, and so on, it would seem that nearly as many criminals escaped as were caught.

The record laid great stress on the number of convictions obtained, and this would be a cause for satisfaction if conviction in America was always followed by adequate punishment. But, unfortunately, this is not the case. Punishments for minor offences seem quite negligible. Breaking the traffic laws and regulations causes an immense number of accidents, many of which are fatal, yet it is not common for these "speeders"

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to be punished—at least, for the punishment to be enforced. A moderate fine or an absurdly short term of imprisonment is about all they get, especially in the case of a girl or a woman. And this when the same person is brought up in court again and again at short intervals for driving to the public danger. It is looked upon as a spirited form of sport by young women, and film actresses seem fond of the advertisement of being arrested for “speeding.” In one case a “star” was caught three times in one day, and nothing happened to her.

This epidemic of reckless driving in Los Angeles has become a serious matter for more reasons than one, and the curious state of public opinion regarding it does not seem calculated to check these callous “speeders” who endanger and kill their fellow-citizens. The newspapers now and then get roused on the subject, after an unusual crop of accidents, but there seems no feeling against individual offenders. In fact, by some strange perversion, sympathy is at times actually expressed for the careless driver rather than for the victim he has left dead on the road, and there is a constant attempt to blame the pedestrian.

In one case of this sort, a woman was driven over in Hollywood, receiving injuries of which she died in a few hours. It was at Christmas time, and the driver was a young college boy. His story was that he “honked,” and the woman took no notice, so he drove over her. He seemed to think it was the right thing to do. It came out in the inquiry that she was slightly deaf, yet in face of his confession that he had seen her and had deliberately run over her, he was held to be quite guiltless of her death; and the papers insinuated that she was to blame for getting in

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the way and being killed, and commiserated him for having his Christmas vacation spoilt in this sad way.

Callous behaviour is naturally on the increase when it is not rebuked, but encouraged by this kind of nonsense, and occasionally there are extreme instances of it.

One Sunday in particular the papers noticed what they called "a wave of reckless driving," writing as if it were as inevitable as a heat wave, and had to be as patiently endured. Sunday is always a day of casualties, great and small, but this list was longer and blacker than usual. One couple returning from the sea beach had their car "side-swiped" by another motor travelling at high speed. They were overturned and thrown into a ditch with great violence, and the woman sustained fatal internal injuries with a punctured lung, also concussion of the brain. The man was badly hurt, but not killed—and that was how their poor little jaunt ended. The car that wrecked them escaped, as did the car which caused another fatal accident, this time to a pedestrian on the pavement.

Four other persons were badly hurt and cut when an automobile drove into their machine and made off after the collision. These incidents were bad enough, but, worst of all, a man was knocked down on a frequented street, and as he lay dying in the roadway, but not yet dead, a number of other cars ran over him, until some more decent and humane citizens drove up and noticed him. They protected his poor body, and called the police, who removed him to a hospital at a quarter past four in the morning. He died of his terrible injuries about four hours later, and the physicians at the hospital said they

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believed, from appearances, that the man must have been lying on the street for hours before he was noticed and rescued.

A case like this in a civilized community seems incredible, but another almost matched it in want of normal human feeling—this time, for a wonder, not in connection with motor cars. It was again on a Sunday, and two girls were rowing on the pretty ornamental water at Westlake Park. They attracted two boys who were in a canoe, and a sort of splashing match began. Then one of the girls with an oar pushed the canoe over, upsetting the boys into deep water. They could not swim and got into difficulties at once, and the girls, seeing this, immediately rowed to the shore, and left the boys to their fate. Both the lads were drowned before some other people could reach them, though a man did his best to save them.

The newspapers took the view that "an innocent prank" on the part of these two poor girls had unfortunately resulted in a tragedy. There was not one word of the mildest reprobation for their shameful conduct in first viciously upsetting the canoe, and then rowing away, and there was no suggestion that they ought to have tried to save the victims of their innocent prank.

In another case a man was killed in front of his house by two men whom he suspected of stealing his automobile. He was said to have found them sitting in it, and to have remonstrated with them, when they shot him. Two women ran ostensibly to his assistance, and one of these calmly robbed his scarcely dead body, warm and bleeding, and was arrested for taking four hundred and eighty dollars from him. Her conduct was recorded without any expression of disapproval, as if it were quite normal and correct. If she



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had happened to read the paper, she would have been pleased to find that for a young woman to rob a man in the agonies of a violent death was really rather clever, and showed nerve and presence of mind. The paper, of course, did not put it in this way, but the plain inference was that her performance need not be reprobated.

But while these ugly incidents were recorded with indulgence, if not sympathy, and in a tone not calculated to improve civic virtue, people who did not kill or rob, but indulged in a noisy party or two, promptly got into the clutches of the law. Neighbours, who did not worry about dying men being run over or boys being drowned, complained of these orgies, because a young so-called millionaire had guests who ran round his house in pale blue pyjamas, also because "silk lingered (*sic*) women" opened the door.

One indignant female said that what they could see before the blinds were pulled down "was a caution," but she did not explain why she was gazing in at another person's windows until they pulled the blinds down. This too lively entertainer was arrested and found guilty of disturbing the peace, and received a sentence of thirty days' jail, with a fine of two hundred and fifty dollars, or roughly about fifty pounds. His life, by the way, might or might not have been merry, but was certainly short, as he died soon afterwards in Honolulu, whether from ptomaine poisoning contracted on board ship or alcoholism acquired under Prohibition was not certain.

At the time of his death, an appeal and hearing on his second arrest was pending, and he was on bail for a total of seven hundred dollars, or about one hundred and fifty pounds, as he had given some parties and roused more complaints. The woman

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who made the loudest fuss was the mother of a "lady journalist" who wrote very sympathetically about two cruel murderesses, which seemed to suggest that murder was less reprehensible than unrestrained frolics. The millionaire's entertainments were probably objectionable, especially to prying busy-bodies who made a point of seeing and hearing as much as they could of these orgies under the disadvantage of not being included in them, but he seemed less dangerous than callous brutes who ran over citizens and left them in the road, or than merciless and crafty murderesses, and also less destructive of a sound and wholesome civic tone. Yet there appeared to be more indignation over these noisy carousals than over constant killings by reckless motorists. It is difficult to understand why this should be so, but it is a gesture of puritanical perversity that is not confined to Los Angeles—or to the United States, for that matter.

However, in a new and rapidly developing township it is a thousand pities that respectable citizens, especially women, should weaken their influence for good by straining at gnats and rushing to swallow camels, as it were. These people are of good character, and might show a valuable example to the community, but by some strange mental or moral kink they look upon vulgar festivities as the blackest of offences, and would use every lever in their power to control all amusements, even harmless ones, legitimate as well as illegitimate, that do not exactly meet their narrow-minded views. In addition to this, there is the peculiarity that their tolerance often begins just where that of ordinarily sensible people leaves off—namely, at serious crime, especially wilful murder, and offences of women against men.

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The same class of person who wants to stop gay dances, shut theatres, and prevent a drop of alcohol from circulating, will move heaven and earth to save a cowardly assassin of either sex. It is past explanation, but it helps indirectly to increase contempt for respectability and also for the law. It undoubtedly tends to trammel the police, and altogether the problem of controlling and reducing crime in a city like Los Angeles is complicated as much by the good people as the bad ones.

It is not surprising that the authorities feel hampered by these anomalies, and that the police are sometimes discouraged by unexpected clamours against mere roysterers, followed by sentimental movements in favour of serious criminals. The result is that the question of reducing crime is tackled with energy only by fits and starts, and not handled with steady "psychology," as one may call it. The general public, as distinguished from cranks, and the Press have excellent intentions, but in various ways they also impede the course of the law. They are quite sound in their attitude towards crime so long as it is detached and impersonal, but give them real living, breathing criminals to deal with, and juries fail to convict and constantly have to be discharged. It leaks out that generally this is owing to one or more obstinate men or women who are determined to get the prisoner off, in face of the clearest evidence. Some of these worthy people seem to serve on a jury for this express purpose.

The newspapers behave in much the same way. They denounce crime at large in firm and emphatic terms; they complain of the increase of serious offences; and then they take the part of nearly every criminal who is on trial, and publish

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sympathetic articles, especially about women prisoners.

Los Angeles, be it repeated, is increasing in population so rapidly that some of the old Western virtues are going under, while Western lawlessness is rather reviving. Vigilance societies and bodies like the Ku Klux Klan are out of date and harmful. What is wanted is steady public opinion against the beginning of evil in small law-breaking, and equally steady public support of the police authorities. This would help to check crime, especially if backed up by a more consistent tone in the Press, not raving against disorder one week and writing semi-jocose, wholly sentimental articles about some evil-doer the next.

A certain kind of patriotism is answerable for lawlessness at times, and these amateurs, like the American Legion, in trying to improve the civic tone make mistakes, to put it kindly.

To take one example of their misdirected zeal, a singer named Madame Gadski advertised a concert at Los Angeles, and the American Legion, with a grievance against her that she was pro-German during the war, determined that she should not sing. They succeeded, by threats of violence, in preventing the concert. This action was not approved by the community, and the papers pointed out its injustice, seeing that the singer in question, Madame Gadski, had never been convicted of breaking any of the United States laws, that there was no charge of any sort against her, and she had both a legal and a moral right to give an entertainment in Los Angeles or anywhere else.

In these circumstances, the ex-service men who organized the demonstration against her were actually lawless. Some of them took the trouble

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to explain they were "preserving the law"; but, as the Press remarked, that plea was contradicted by the poster they issued :

"If you have bought a ticket, demand your money back ; Gadski shall not sing."

The city authorities were to blame for allowing this sort of folly to pass, and for the sake of public well-being should have protected both the singer and her audience, and not have permitted the concert to be abandoned.

The American Legion made a very poor appearance on this occasion, that "of an assemblage gathered to make a demonstration of force—a mob," said the *Los Angeles Times*. "When the American Legion trusts to numbers and not to justice to obtain any objective, it is committing the same fault as that of the labour unions when they trust to their organized strength to enable them to defy the law."

All this mob influence is, of course, a danger to a young city like Los Angeles, and intensifies the struggle between law and disorder. It puts the police in a peculiarly awkward position when they have to restrain by force—meaning revolvers—the too-exuberant ardour of patriots. Besides this, the American Legion, by setting such a bad example, gave countenance to other organizations to coerce the public—organizations whose motives were the reverse of patriotic.

As if all these tangled happenings were not enough to encourage lawlessness, there was published a strange interview with the District Attorney of Los Angeles when he retired after holding his responsible office for over eight years. He relaxed his official dignity to give a bright little "conference" to a woman journalist. There is, of course, no harm in a man reviewing his

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career, and it is entirely in accordance with American custom to do so ; but anyone with a proper sense of civic responsibility surely ought not to go out of his way to glorify criminals and law-breakers at the expense of respectable citizens.

“ He had directed thousands of prosecutions,” said his interviewer, “ and out of the hectic battles that have studded his career has brought some notions and conclusions that present food for mental digestion.”

Among these notions was the belief, forcibly stated by him, that the worst criminals were not behind prison bars.

“ ‘ I don’t like the legal definition of the word criminal,’ he said emphatically when I cornered him the other morning,” wrote this lady. “ ‘ The real criminals are the liars, the hypocrites, the meddlers, who infect the world. They go scot-free. It would be impossible to obtain a system of jurisdiction elastic enough to punish them, so we must confine our definition of the term to the legal meaning. But I have known great-hearted criminals—and important citizens whom I think the worst scoundrels, performing mean, contemptible acts, devoting their energies to making life difficult for their fellow-men.’ ”

Great-hearted criminals ! Murderers, burglars, and blackmailers, did he mean ? In any case, he ought to have been cheered by his own statistics, for records in his office proved that these “ great-hearted ” gentry were multiplying at a rapid rate, seeing that the two years 1919 and 1920 showed a local increase in crime of about one hundred per cent. In other words, his valued friends had nearly doubled in number. He could not altogether explain this.

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"There is no way of determining with exactitude the causes of the increase in crime," he drawled slowly to his feminine admirer, weighing each word. "It is attributable, to some extent, to our amazing growth in population. But it cannot be denied that there is an increasing disregard for the laws, and particularly the Prohibition enactments. This has been accompanied by a very disturbing lack of respect for duly constituted authority. The contemptuous regard of many for the officers is in a large measure brought about by the unwarranted and mendacious criticisms of ignorant citizens, would-be moralists, and advertising charlatans and publicity seekers.

"Add to the general unrest occasioned by the aftermath of the war the awakened adventurous spirit of youth, the dislike of youngsters nowadays for honest labour, and the harmful practice of fiction writers in throwing a false glamour about the lives of mean and dangerous characters, and you have a background bound to produce an increasing number of enemies to society."

He also blamed high prices, which caused poverty, and he thought mechanical inventions, such as automobiles and telephones, helped criminals more than they aided the law.

At this point the interviewer asked his opinion of moving pictures, remarking herself that everyone was breaking into print and blaming everything from burglary to chilblains on the "fillums." But though he was down on fiction writers, he upheld the worst of the "movies."

"Nonsense!" he said, and a glow lightened up his tired blue eyes. "I like the 'movies,' and I'm just a representative citizen. While the plots are sometimes absurd and unreal, they are

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a constructive force. They invariably point moral lessons of honesty, of courage and right eventually triumphing, and are invaluable in combating the spreading crime wave. They keep the kids off the streets, too, so their good far outbalances any tendency they have to create restlessness among the youngsters."

But why waves of crime should have spread more widely since the beneficent advent of moving pictures, he did not condescend to explain. He went on to say that the situation must not be blamed on the young, and added elliptically, with one of his sudden transitions, that he once believed a person's habits of life and character were fixed at maturity. But he had found amazing exceptions to this rule, and it had often been his unpleasant duty to prosecute persons whose lives had been practically blameless until they took this one false step.

He gave an instance of a bank employé who had faithfully resisted temptation for thirty years, and then suddenly stole a hundred thousand dollars. When asked why he did it, he said he did not know. Another puzzling case was that of an old man who had never been guilty of an act of dishonour or violence until he was nearly seventy, when he broke out into a double murder of his wife and stepson and burnt their bodies. From this the District Attorney quaintly and rather obscurely deduced the moral that one must not blame the young. The idea of blaming all criminals, whether young or old, did not seem to commend itself to him.

He went on to say that modern young men were not sufficiently disciplined, and parents were too indulgent, and he admitted humorously that he was too indulgent himself to his only son.



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"I just love him too much for his own good, I guess, that's all."

American laws were not strict enough, believed that quiet-voiced, emphatic and—one might add—most illogical man. "But if we had greater penalties we couldn't obtain any convictions at all," he said, in his slow Southern drawl. "Maybe it is to the credit of the human race—maybe it is just a weakness of generosity—but the ordinary jury, representative of ordinary thought and feeling, will not vote a conviction that carries a severe penalty. When you temper law with too much sentimentality you destroy its constructive purpose. Harsher laws would simply mean more acquittals."

As to convicting women, he simply "threw up his hands in surrender to the inevitable," and said a jury would never convict a woman unless her crime was unusually heinous. There was no way to set aside nature and sex; and in his opinion it was an Herculean task to get a jury to convict a woman who was at all attractive. Then he went on to say he thought women never committed crimes, or murder, through viciousness or calculated cruelty, but were goaded by the love of man, blind passion, unreasoning feeling, wounded pride, unrequited affection or jealousy. Public sentiment was against the punishment of a woman, the jurors merely reflecting this general sympathy when they acquitted.

On the top of this bundle of inconsistent, inaccurate and ill-digested opinions, the journalist—with unconscious humour—solemnly asserted that the District Attorney had made a study of human nature. He had now retired into private life, and was analyzing his close observation and many experiences of human tragedy into definite

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conclusions—evidently, one might add, taking for his motto Walt Whitman's saying, "Do I contradict myself? Very well, then, I contradict myself!"

The District Attorney took a stand, so the interviewer averred, against "the hypocrisy that cloaks itself in respectable garb."

"I consider about the most wicked human traits," he replied to her question, "are lying and hypocrisy."

He enlarged on this, and remarked there were many Judas Iscariots to-day, and not behind bars. Many, he said, were "plate-passers" at church, and regular amen-corner deacons.

"I am not attacking religion," he protested, "for religion is one of the finest bulwarks there is. What I hate is hypocrisy—the man who clothes his sin in moral garb. And meddlers, too."

He doubled his fists, noted the reporter, with such sudden intensity against the arms of his chair, that she was glad it was his and not her chair.

"The only way to teach men like that is by physical force. They manage to keep just within the law's border. When I get on to one of these cursed, lying, hypocritical, would-be moralists, I want to take him out and kick his teeth down his throat."

They went on to speak of man's cruelty, and he stated, in his headlong way, that the most heartless crime he had ever heard of was one, just then in the public eye, of an attack on a so-called little girl—who, by the way, was fourteen years old, and a pronounced hysteric. As another reporter chronicled, this girl, Astrea Jolley, had a super-active and unclean imagination, so that the judge in the preliminary examination said the case

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presented many interesting angles and a difficult problem.

"Whether the girl's story can be believed, I do not know," he remarked, with touching simplicity. "A great deal of it is plainly and transparently as false as the stories she told to her schoolgirl friends. I do believe, however, that although her story of being drugged, beaten and attacked is false, there is some truth in her statement, and that Sanceri (the defendant) is guilty of a statutory offence."

The defence produced several witnesses who exposed mis-statements by Astrea, and mentioned the impossible stories she had told, saying she was married and her husband was dead. A schoolmate of the girl identified certain letters which, as the defence said, "contained other evidence of her imagination." Ordinary people would have called it her capacity for hysterical lying.

Certain "defenders of women," roused by her false accusations, had already taken the law in their own hands and mauled and beaten the unlucky defendant, on whom their blows and bruises were distinctly visible. The judge rebuked these persons, yet he did not dare release the prisoner, but ordered a trial, observing feebly :

"I doubt if a jury of twelve men will be able to differentiate between the truth and the false in Astrea Jolley's story, and that is the point upon which Sanceri's guilt depends."

This heartless fiend was then admitted to bail, in spite of his unspeakable crime, for one thousand dollars, and the impression left on one's mind was that the trial had been ordered entirely to gratify some foolish persons, and that the judge considered the whole thing absurd, but had also to remember

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that his own position was elective and depended on the popular vote. Now this discredited and hysterical accusation—without any corroboration—was singled out by the retired District Attorney as “a fiendish attack” and the most heartless crime he had ever known!

The whole interview and its revelation of the attitude of the most prominent official in the Criminal Department had considerable significance, besides being of psychological interest, with its queer mixture of drawling and emphasis, its alternate slush and fury, and its illogical conclusions. The District Attorney was evidently quite unsuited by temperament for his position as prosecutor, though no doubt he was estimable in private life, and he showed no symptoms of mental training or accurate knowledge of the world and human nature. His admiration for criminals was unfortunate, to say the least of it, and apparently was based on the idea that occasionally a law-breaker is not wholly bad, while he denounced respectable citizens because a few evil persons masquerade as such.

His want of judgment was also shown in a lesser degree by his violent attack on writers of fiction, whom he blamed for increasing crime, and his defence of the moving pictures, praising these for checking it, and for having “a constructive influence”—whatever that may mean.

Insensibly such a man in a position like his must have had a bad influence, even with the best intentions, seeing that his real sympathies were with the criminals whom he was compelled to prosecute, and that he suffered from an obsession about hypocrites cloaked in the garb of respectability.

When the sheep dog hankers after the wolves

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and has perverse views of the sheep he is paid to guard, it is not difficult to see that the fold will be in considerable danger !

It is to be hoped that Los Angeles will be better served in future, and may elect someone as District Attorney who is free from inconsistency of mind and vagaries of sentiment, and who will uphold the ideals of good citizenship which tend to strengthen the administration of justice.

## THE AMERICAN VIEW



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THOUGHTFUL Americans are becoming alarmed at the disclosures of their country's increasing crime, and the American Bar Association has taken the matter up, to try and find out the causes of this increase and apply some timely remedies. They surveyed the whole subject, and arrived at much the same conclusions as Los Angeles did locally.

The Bar Association did not stop short, however, at vague complaints and assertions, but gave authoritative statistics, not only of the unsettled West, but of the Mid-Western States and of the old established East, the cradle of American independence and liberty.

• During 1921 there were 260 murders in New York City, and 137 murders in Chicago. This total of nearly four hundred slayings in their two biggest cities was bad enough, but the Association added that it was a mistake to suppose a greater proportion of homicides occurred where population was thickest. On the contrary, it was shown that the proportionate ratio was heavier in cities of less than two hundred thousand inhabitants.

"It may be roughly but conservatively stated," said their report, "that in this republic there occurred last year about 7,850 murders. To these may be added 6,790 cases of manslaughter and other unlawful killings, totalling in all about 14,640 unjustifiable homicides."

In ten years, the Association stated, no fewer



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than 85,000 citizens had perished by poison, the knife, pistol, or some other lethal weapon. No less than about 90 per cent. of these slayings were made possible by the unrestricted sale of firearms. This is not a matter for either joking or jubilation, yet the newspapers commented on these and similar statistics quite playfully, calling murder the "Homicide habit," and describing it as follows :—

" Dr. Hoffman, the mortuary statistician, cheerfully reports that murder is becoming the most popular outdoor sport in America. There is nothing new in this statement, but the expert furnishes the figures for analysis. For instance, there are twice as many murders in Los Angeles as in London " (London having more than ten times the population) " and the killings in Chicago are more than in all Great Britain—if the work of Irish revolutionists be excluded. There is no country in Europe where murder is so extensively practised as in America. There are more killings in Russia, but there they are listed as executions under Soviet law. They are not assassinations and murders after the approved New York and Chicago model."

Another reporter commented less breezily, but still not too seriously : " If no revolvers were made, or if they were only to be had through Government sources, a good many thousand people would be alive next year who will be carried out in coffins before the shooting season is over. Nowadays if a bandit has been picked up for two or three offences " (*i.e.*, murders), " we open his cell door, put him on probation, give him a loaded pistol, and tell him to go out and enjoy himself. Then we complain if the highways are cluttered up with the dead." The Bar Association did not

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condescend to be funny, but it soon relapsed into an attack of patriotism, and said that the report of crime was more favourable regarding larceny, extortion, counterfeiting, forgery, fraud, and other forms of swindling, asserting that Americans were more honest, more moral, and of cleaner lives than any other nation !

This may be doubted. In fact, it is mere clap-trap, seeing that burglaries and "hold-ups," or robbery with violence, are more numerous in the United States than in some other countries, and larceny and frauds of all sorts are quite as rife. As to forgery and counterfeiting, not much evidence is available, so they can be left out of the comparison. The remarks about morality and clean living, also honesty, set one wondering why all this superior virtue should lead to quite so many homicides.

As for frauds, not long ago, in the outcome of an investigation by the Grand Jury of Connecticut into a medical scandal there, an inquiry was begun in New York City. This yielded sensational results, and, according to the New York Board of Health, there were between fifteen hundred and two thousand impostors practising medicine in New York City without a license. Most of them styled themselves M.D., though they had never taken that degree, or even a complete course in medicine. Many were graduates of the St. Louis College of Physicians and Surgeons in Missouri, an institution which the law officers of Connecticut called a "mere diploma mill." The New York Board of Health proceeded to revoke the licenses of all doctors claiming to be graduates of this school.

In addition to these unqualified practitioners, evidence furnished to the Connecticut investigation

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prompted the authorities to call before the Grand Jury scores of "osteopaths," "chiropractors" and "natureopaths" for inquiry into their credentials. A New York physician of high standing furnished this warning, and asserted that of one hundred thousand "chiropractors" in New York, about thirty thousand were using cheap electrical machines, tending to produce cancer, and they were also making a dangerous use of the X rays.

Some "natureopaths" in Connecticut and New York had been claiming to restore the dead to life. According to a circular of a school in Chicago, from which they received their training for a fee of thirty-six dollars (under nine pounds sterling), they were taught how to secure "positive recovery from any and all conditions of sickness and disease; restoration complete of any and all parts removed by accident and surgery; and the restoration of the recent and long time dead."

For a nation that has the best morals in the world, and the fewest frauds, this is an awkward revelation to deal with, especially as the above-mentioned irregularities are almost universal, and the most cruel deceptions in connection with the healing art, so called, are perpetrated everywhere.

But this attitude of the American Bar Association is characteristic. Having called attention to, or rather admitted, the appalling statistics of murder, they knew they had gone far enough and would have to throw a sop to popular sentiment. So they fell back on the usual and time-honoured patriotic slush about vague "honesty, morality and clean living." It would puzzle anyone to decide under which of these headings the fraudulent doctors should be ranged.

In another moment of confession, a writer in

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a leading paper mourned over the bad reputation of the United States and its citizens, and reluctantly said that perhaps "it was founded on a half-truth," and added that some natives of the Great Republic "had been trying to dispel the unpleasant illusion." Hardly an illusion, by the way, as even this paper—in a subdued mood—was constrained to allow.

"The trouble is," it murmured plaintively, "there is just enough evidence to support the calumny. We can't wholly and completely repudiate the unkind aspersions. There are plenty of gun-toting bootleggers, immoral divorcees, and bloodthirsty lynchers in our midst for the critics to point to. We may insist that the vast majority of Americans are wholesome, law-abiding, high principled, idealistic citizens, but there are enough of the other kind to make a very big noise, and evidently not enough of the law-abiding sufficiently fired with the missionary spirit to redeem their blackleg brothers, or keep them under control."

It may be conceded at once that the vast majority of real Americans of the old stock are all that is claimed above—law-abiding, high principled, and the best of citizens, who entirely deserve this eulogy. But it does not apply with the same accuracy to the vast majority of modern American citizens. This is a totally different proposition, seeing that much of the population is increased by immigration of the dregs of Europe.

On other occasions and in other connections it is admitted freely enough that very many citizens of the United States are not native Americans, and not long ago the Health Commission in New York said that, but for the influx from other American cities, their metropolis would be wholly foreign in ten years, the native birth

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rate being very low, and the alien—especially in the slums—very high. No doubt this great admixture of races, generally recruited from the lower orders of each country, helps to produce crime, and complicates the problem of administering the criminal code.

It is a wholesome symptom that a responsible Association like the American Bar will discuss the subject, instead of shouting that there is no crime in God's Own Country. If they would only act up to their own recommendations, things might improve, but it is a curious fact that in all these suggestions there is always an underlying idea that someone else ought to tackle the problem. This idiosyncrasy goes all through. For example, when members of the community are roused on the subject, they blame the administrators of the law. Yet when not roused these worthy citizens are not seldom found thwarting the law themselves.

The executive, on the other hand, has a tendency to accuse the community of want of respect for the law, and to say feebly that citizens ought "to redeem the black sheep, or keep them under control," at the same time objecting (and with good reason) to individuals or mobs taking the law into their own hands. Both sides argue, and very sensible suggestions are made, but somehow these do not result in rational reform. People seem to know what is wrong, but lack the firmness to put it right.

One newspaper of undoubted importance summed the matter up as follows: "The only real deterrent to crime is the certainty that the appropriate penalty will follow upon its commission. No such certainty prevails in this country. Whether it is under-policing, the laxity

of the courts, the weakness of the probation system, the lack of co-operation between bar and bench, the sentimentality of the public, or the confusion of State and Federal laws, or a combination of them all, the fact remains that criminals have a better chance of escaping the penalty of their crimes here than anywhere else."

"Out of fourteen murders committed in all Canada for 1920, sixteen men were hung—three being disposed of as being implicated in one murder. Nine murders were committed in the city of London, and just nine murderers were hung, during the year 1921. Both of these instances seem to be excellent examples of cause and effect. It is obviously very unhealthy to commit murder in either London or Canada. But even if the murderer were caught and condemned to hanging in this country, a petition would probably be started by some well-meaning, sentimental citizens for a reprieve. But his chances of being caught in the first place, or convicted in the second, are very meagre."

To take the causes enumerated above as detrimental to society and encouraging to criminals, and look at each in turn, underpolicing comes first. It is not uncommon in rapidly growing communities, and a scarcity of police is sometimes unavoidable. Besides this, the police employed are apt to be only half-trained, and at times are not reliable, though they are improving in this respect. But it is a fact that a thoroughly efficient police force, well trained, of suitable character, is not yet to be found all over the United States. In some cases the police seem to be engaged like scavengers or watchmen, and thrown on the streets to train themselves! Taking this into consideration, and the want of traditions,

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the men do very well—better than might be expected.

The second cause of trouble is given as laxity of the courts, which, of course, includes judge and jury. There is a good deal of truth in this, yet the so-called laxity is not due to corruption, direct or indirect, but in the case of judges and other officials to their position, which depends on the popular vote at intervals. Naturally, a judge, a district attorney, or a sheriff does not care to run counter to popular sentiment if that course is likely to ruin his chances of re-election. What shall he be profited, he asks himself, if he upholds the law and loses his position and livelihood?

At least he does not say so openly; but, of course, this consideration is always in the back of his mind, and must weight with the average man. Probably the first reform that would bear fruit would be to find the right sort of judges and other officials and appoint them for a long term of years, or for life. This would remove various forms of pressure from them, especially from the judges, on whom the onus rests of sentencing criminals.

The pressure of sentimentalists and humanitarians is bad enough, but even more insidious is the new idea (also, unluckily, creeping into England) that crime is an indication of disease and insanity, and therefore criminals should not be held responsible for their doings. This preposterous view is, of course, not a legal one, but has been evolved by the medical profession, and in its extreme form declares there is no such being as a criminal lunatic. They contend that the mere commission of what ordinary people call "crime," and they describe as "abnormal acts"

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(a pretty name for murder !), is a proof that the individual is a sick man, or woman, and must be tenderly handled as such.

This theory is pleasant enough for scientific persons to toy with, and write papers or lecture on, but the common sense that never deserts Americans has become alarmed by too wide a practical application of it, and it is asked pertinently how "we can frame laws that will protect from criminal punishment individuals who are not responsible for their acts of violence, without affording a loophole through which vicious and adroit scoundrels can escape.

"Under the old standards a man was held to be sane if it could be shown that, at the time the offence was committed, he was aware of the nature of the act and the consequences thereof.

"But scientific research has disclosed various diseases which affect the mentality of the individual that were hitherto unsuspected," continued the report, and mentioned that one, Dr. Schlapp, "who has done a great deal of pioneering in the field of criminal mentality and the neurological aspects of criminality is promising to revolutionize the whole understanding of human behaviour."

He has discovered, worthy man, that knowledge of the endocrine glands will affect this revolution, seeing that many men—according to him—commit crimes for the sole reason that their thyroid and other glands are out of order. "We understand now," he says sweetly, "that many unfortunate human beings are unable to control themselves under temptation or in the face of arousing stimuli, because there is some derangement in the glands."

He goes on to say that a very large proportion



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of the men sent to prison for felonious breaches of the law are sick men who can be cured of their illness. Instead they are treated as pariahs, and caged and tortured, and judged according to stupid and obsolete standards. "We fail to give them help and light, though both are at hand." He asks pathetically if we are to go on "hating and abhorring a man who breaks our rules, or shall we, because we know what happened within him, sympathize and help him?"

Very reluctantly, he admits there are a few dangerous and intractable criminals against which society must protect itself; but even these criminals, he says tenderly, "may be victims of the troubles we now begin to understand." As this amiable theorist is said to be Professor of Neurology at a hospital, it is not beyond the range of possibility that he wants to secure subjects to be studied there at public expense!

It is easy to see what an added worry to an American judge this sort of pernicious "science" and "psychology" will prove, and what a tremendous handle it will give to unscrupulous lawyers in defence. The professor did not seem to concern himself with the curious fact that the endocrine glands act in a less erratic manner in other countries with stiffer laws. It did not seem to dawn on him that there might even be some connection between a firm administration of justice and a tendency for persons to control themselves "in the face of arousing stimuli"—to use his own pet phrase.

But in other less scientific and more practical quarters these ideas are working—namely, that suitable and certain punishment tends to counteract the endocrine glands and diminish crime. The cases of Britain and Canada are cited to

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prove the point, concerning which "science," in the person of Professor Schlapp, is dumb; unless, indeed, he is prepared to contend that the endocrine system works more normally under the British flag, and that there is something in the waving of the Star-Spangled Banner to upset the thyroid gland!

The weakness of the probation system was the next reason advanced for the amount of crime. This system is typically American, and was started under the honest and generous impression that it would have a good effect on criminals and give them a chance to see the error of their ways and reform. The practice is to release a criminal—not seldom a murderer or bandit—on parole, as it is called, which means he can be at large so long as he behaves tolerably well. It is something like a ticket-of-leave, but much laxer in every way.

Why letting them out of prison almost at once should be expected to deter prisoners from crime, is rather astonishing—at least, to anyone who knows human nature. The plan has not turned out well, and there is a certain amount of opposition to it now. Judges, after observing its results, are advocating that it be granted to first offenders only, and be strictly watched at that. There have been many cases of convicted felons out on parole taking the opportunity to commit further crimes, and it is probably a great comfort to them when they are convicted to remember that release on parole is practically certain.

The next cause of crime increase is stated to be lack of co-operation between the bench and the bar. It is difficult for an outsider to gauge this alleged want of co-operation, but it is a fact that an American judge does not always seem as sure of himself and his position as his British colleague

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does. His rulings as to the admission or exclusion of evidence, his treatment of counsel and attitude towards witnesses, all seem more capricious, and founded on personal opinion rather than on strict precedent. Generally speaking, he appears to favour the defence as against the prosecution, but in that he only reflects the attitude of the public—which, of course, an impartial judge ought not to descend to.

This same attitude of the public is given as the next cause for the increase of crime, and is considered to be very ominous in a democracy. The American Bar Association pointed this out in their report. "One serious obstacle to the enforcement of the criminal law arises from the attitude of the law-abiding citizen when called upon to aid in its actual administration. The American temperament adjusts itself to sympathy with the accused, and a corresponding disregard for the rights of the public. In cases where much public feeling is aroused, the man of affairs too often deserts the cause of justice. Want of sympathy, if not actual disrespect for the law, reaches up to the highest stations, and extends down to the lowest. The ultimate enforcement of the law rests upon the jury box. If the average American citizen had, without sympathy or prejudice, performed his duty, this terrible record would not have to be written."

It may be noted in passing that this is rather a harsh indictment of the jury box, and it does not seem quite fair to lay the whole blame on juries without distributing some to the defending lawyers, the newspaper men, and the public. No one can doubt, and it must be repeated, that the foolish sentimentality of the public, and especially of the women, tends to upset the jury in many

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trials, and to influence their verdict against the evidence. American women, and the older ones in particular, have a strange capacity for a kind of hysteria that shrinks morbidly from seeing any evil-doer punished. It is not exactly sympathy for the criminal—at least, it is seldom expressed in practical help of any sort; they “just can’t bear” to know that anyone is punished for anything, and threaten to go crazy at the mere thought of a murderer being executed.

With these influences against him, if an unlucky judge passed a sentence of death on a criminal, and it was carried out, he would run a great risk of being screamed at and voted against, and every juror in the case would share the public obloquy. Petitions for the release of the ill-used criminal would be freely signed in a curious wrathful mood against the law of the land and its administrators. Yet, most inconsistently, after securing a pardon for the accused, or at least some remission of his just punishment, these same people in another mood will fretfully complain of the prevalence of crime, and blame the law and its executives. Why they never have a moment of “vision” and connect the swarming of criminals with their own sentimental folly is surprising. But they never seem to notice this cause and effect, and go on the next time just the same.

The confusion between State and Federal law may result in encouraging crime, but it would appear to be less active than some of the other causes just considered. No doubt, State law is much weaker in authority than Federal law, and is more easily deflected by public opinion in the State. What emanates from Washington, D.C., has a prestige and an awe-inspiring effect superior to the nearer authority. The distant, the

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mysterious, the inaccessible, have a certain power over the imagination which sways the minds of average people and usefully works in the direction of auto-suggestion. It has a flavour of the Ten Commandments engraved on the tablets and delivered in the gloom and thunder of Mount Sinai. Instead of availing themselves of this appeal, as it were, the various States at times seem jealous of Federal power, and try to neutralize it. Then there is also inter-State friction over differences of law.

The American Bar Association would probably not admit it, but to an English observer one reason there is a want of respect for the law in the United States is the lack of dignity in its trappings and surroundings, and the informality of the courts and trials. An American judge, sitting in an ordinary coat and with his head bare except for his hair—when he has any—is not altogether an impressive spectacle, neither are the counsel, also in everyday dress.

Wigs, robes and regalia may be childish to a philosopher, but the ordinary public and the average criminal are deeply and wholesomely impressed by an appeal to the eye. The august figure in scarlet and ermine seems above and apart from common humanity—a symbol of Eternal Justice. Republican simplicity is very charming in theory, but it loses its effect in real life, and it is a pity it is not feasible to introduce any "dressing up" in the courts of the United States, as it would certainly have a salutary effect. In a few months the enhanced authority of be-wigged and robed judges would be felt, and greater responsibility would attach to lawyers in wigs and gowns—a certain detachment and solemnity. It is very difficult at present to get the right

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atmosphere for administering the law, and must be so unless some pageantry and costume are conceded.

This seems a small reform, yet it might work good results. No doubt, though, it would be furiously opposed in the same spirit that first raised Betsy Ross's flag. To wrap a judge in a red robe and pull a wig over his ears would probably stir America to her dregs, and it might seem a lesser evil to let criminals flourish than to curb them with ceremonials.

However, in spite of laxity and a perilously sentimental public, a certain number of evil-doers are convicted and punished in the United States. At first sight one would imagine that the terrible conditions of ordinary American jails would act as a deterrent, but, strange to say, this is not the case, and they are less obnoxious to criminals than the clean and well-managed English prisons.

For a description of American jails it will be best to take that of Mr. Hishman, Federal Inspector of Prisons to the Penal Reform Society. He gave an address on the subject at Philadelphia last year, in which he said energetically: "Jails throughout the United States are giant crucibles of crime into which are thrown all classes to meet with even worse conditions than they have ever known.

"The jails of the United States are unbelievably vile. They are almost without exception filthy beyond description, swarming with roaches and body vermin.

"There is no separation of the convicted from unconvicted, the well from the diseased, nor the youngest and most impressionable from the most degraded and hardened. I make this statement from personal knowledge, since during the past

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sixteen years I have visited at least fifteen hundred of the three thousand jails in the United States."

This Federal Inspector suggested many reforms, saying :

" Build larger State prisons at advantageous points and concentrate in those prisoners who are now sentenced in jails ; use the present county jails only for prisoners awaiting trial ; clean them thoroughly ; install showers and have compulsory bathing.

" Segregate juveniles from older prisoners ; segregate sexes ; abolish unnecessary delays in trying prisoners ; have prisoners in fresh air, weather permitting, at least one hour a day."

Another report, over two thousand miles away, confirmed these strictures. This time an author spoke, Mr. Cleveland Moffett, to denounce the conditions of the women's quarters in the county jail at Los Angeles, and it appeared that, horrible as these conditions were, they had been rather worse six years before. At that date the *Los Angeles Times* had printed a full *exposé* which stirred the city council and the women's clubs "to the point where investigation committees were appointed." Members of women's clubs, as before remarked, are always ready to sign petitions for reprieves, and also to agitate in favour of the worst criminals, but there seemed less in bad jail conditions to work on their hysteria and stir them to action.

Still, something was done, and after two or three years "some of the most loathsome of the conditions were slightly improved," with a few coats of whitewash, a little extra plumbing, the wherewithal to obtain some semblance of decent human hygiene.

One woman, ex-district president of the women's-

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club federation, did speak out pretty forcibly. She noted that women's interest extended as far as political conditions in Samoa, adding that it might be as well if they interested themselves more in correcting unhappy conditions there in Los Angeles. They were probably too pleasantly engaged in lecturing Samoa on the immeasurable superiority of America to England and British Colonies, to worry over details like filthy and loathsome prisons in their own dear land of the free.

But all these unspeakable and degrading conditions, which would never be tolerated in any English prison, have their compensations for prisoners in the absence of the strict English discipline. In other words, they would rather dwell in a smother of dirt, swarming with roaches and eaten alive by body-vermin, with comparative liberty, than be clean and sanitary with restraint. One renegade Britisher—of whom too many infest the United States—took this up and pointed out how cruel our prisons were compared with the more endurable American variety. He asked rhetorically if a certain wild murderess might think herself lucky she was not in England, but “thank her gods that this was America, where things were more humane—more human.” More cockroaches, more dirt, more fleas and other vermin! But less of that hard and hideous discipline. Among other things, he said that the American prison seemed like a Thanksgiving Party compared with the British.

Probably from the malefactor's point of view the American jail has two or three advantages over our less flexible penitentiaries. One gain is that prisoners have a decidedly better prospect of escaping, when, even with American laxity,



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they are too darkly steeped in crime to be let out on parole. This is a great thing for the criminal, but does not seem quite so beneficial to the community.

Another point is that they have a chance of more fun than our convicts can hope to enjoy. For example, the women's quarters might be extremely dirty and lacking in sanitation, but powder puffs, rouge, and lip-sticks were generally to be had; also romances with the male prisoners, interviews with pressmen, and so on. Jail breaks, or what Americans call "getaways," for the men, and cosmetics for the young women—these make life more exciting and relieve the tedium of a term behind bars.

Commenting on jail breaks, the Press in Los Angeles and elsewhere sometimes got roused on the subject, when the manœuvre succeeded too often. "Every time a criminal escapes from jail, every time an old offender is released on probation, every time a guilty person is turned loose for lack of evidence to convict, the public is exposed to avoidable dangers, and the police discouraged in the performance of a difficult and dangerous duty," said one newspaper; going on to point out that there must be something radically wrong with a system that placed few obstacles in the way of prisoners who wanted to arm themselves, and also allowed love affairs between men and women criminals; where guns could be passed in and where guards would permit the jail weapons to be tampered with.

These remarks were mainly prompted by the escape of a very notorious robber and murderer, who managed to secure a gun, then armed a fellow-murderer, and broke out of jail. All the opposition to his performance was an unarmed jailor, who

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tried to stop the convict with his naked fists, and, quite magnanimously, the convict did not shoot the defenceless warder—which suggested an idea of collusion.

Such are American prisons, and such is the discipline—or want of it—within their walls. However, occasionally the prisoners go too far, and the governor of a jail does now and then give them what is called an object lesson with a severity that would not pass in England. A good example of this happened in May, 1922, in the county jail of Chicago, when the prisoners started a riot one night about half-past nine o'clock.

This rebellion was due to a change in the rules about visitors. Up to this date the whole jail had been "At home" three times a week, and the new order was that each tier would receive their visitors on separate afternoons. That was all—but the prisoners resented it, and considered they had a right to do so, because it interfered with their social pleasures and plans for escape.

"Under the old system we could not keep tab on the people who came to visit the men," said the chief authority. "The packages they brought were so numerous we did not have enough time to inspect them properly. The result was that weapons, saws, guns, drugs, and other contraband were smuggled in to the prisoners. It was conducive to jail breaks. I made the change, and the prisoners did not like it."

Therefore they started rioting at bedtime or so, and they made a din that could be heard for blocks round the prison. People did not know what was happening, and a crowd of several hundreds collected outside, expecting to see a stream of convicts "come dashing through the doors of the jail to freedom."

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"Added to the continuous shouts of the prisoners was every kind of conceivable noise that they could make with the implements at hand," said the report. "Tin cups and tin dishes were pounded against the iron bars, the scant furniture of the cells was smashed against the walls until reduced to kindling, and the mattresses and bed-clothing were lighted and pushed through the cell bars into the corridors, heavy volumes of smoke adding to the confusion."

This commotion began on the fourth tier, where the "hard boiled eggs" were confined. It soon spread to the other tiers, and for several hours the assistant jailer "pleaded with the men to quiet down. His appeals only brought hoots. Every time a guard appeared the prisoners showered missiles on him."

Finally the assistant jailer gave up the struggle, and the warden (or what in England would be called the "governor") had to be summoned, with the day guards, to deal with the situation. The warden also tried persuasion, but found it was no use, so he decided on action.

"Are you going to give us a visiting day?" screamed one of the leaders from his cell.

"You get your visit right now," replied the warden, and, armed with a lash and stick, he invaded that cell. A few minutes later he emerged. All was quiet inside!

"Come and get me, you ——!" yelled another. The warden did. Then into each cell went the "inducing squad." Sometimes the procedure was long, sometimes short, but always successful. The riot was quelled, and as a sequel the warden was called before the judge the next afternoon on the complaint of a prisoner. This man was on trial for robbery with a gun, and he said he had

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been dragged from his bunk and beaten. To prove his statement, he showed his bare back with several large weals decorating it.

The warden promptly admitted that the men had been flogged, and he went on to make the judge gasp with an account of the jail.

"Judge," he said, "the prisoners were destroying property. They had iron bars in their hands and were threatening the lives of the guards and myself. They had set fire to the mattresses. It was absolutely necessary to use force without stint, and we did. Your Honour, brutality is the last thing I approve, but it is approved now. I was put in the jail to run it. I'm either going to do so or get out. Why, Your Honour, conditions are so bad that men are robbed right in the jail."

"What's that?" gasped the judge. "Not in the jail?"

"Yes, sir, right in the jail," the warden went on. "When a newcomer is received, he is put in the bull pen. Then the old-timers throw a coat over his head, hold him, and rob him."

The warden, Captain Westbrook, was evidently approved of by the State authorities, and he said afterwards that he had expected this sort of trouble in the prison, and had made up his mind to lose no time in handling it.

"This is the first time flogging has been resorted to; and it is the first time we have had full respect for the law, and it is the first time these law-breakers got what they richly deserved."

He was in favour of adding a few strokes of the lash to county jail sentences, saying:

"But whether it is legally added or not, there will be law and order in the jail so long as I am connected with it, or there will be some sore

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backs. However, after last night I do not think there will be any more disturbances."

Perhaps Captain Westbrook, Warden of the Chicago County Jail, has found the quickest and most effective method of dealing with law-breakers—namely, the application of force at the right time and in the right place. It remains for others—in the United States or elsewhere—to follow his excellent example, and literally or metaphorically apply the lash freely when all other means fail!

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